

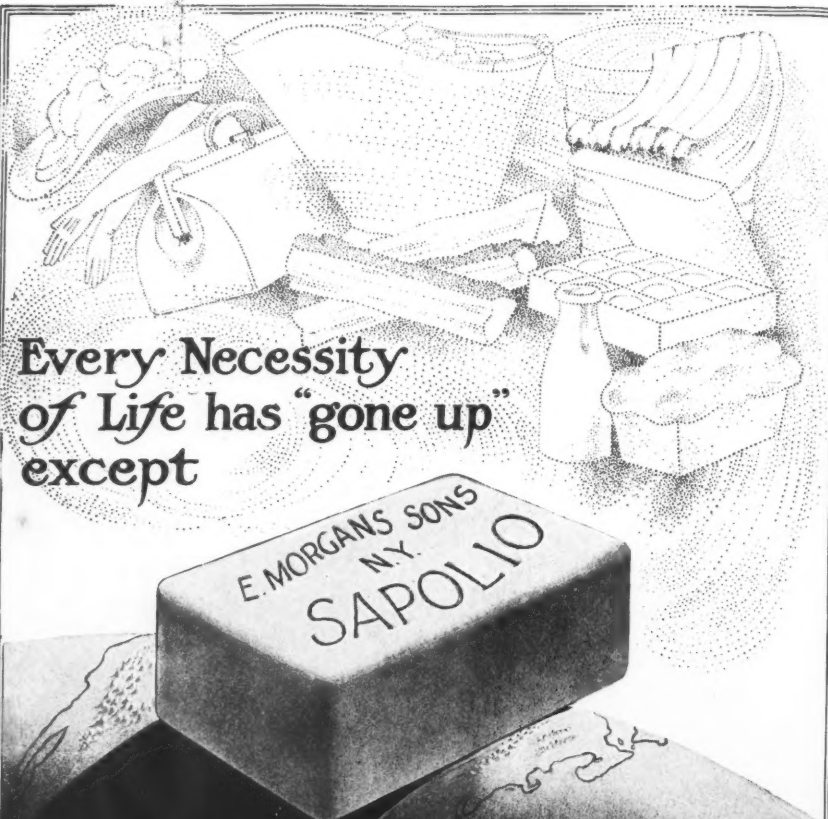
# *Holiday* COSMOPOLITAN

*Contributors to this Number:*

Robert W. Chambers  
Charles Dana Gibson  
Gen. Nelson A. Miles  
George Randolph Chester  
Charles Edward Russell  
Ellis Parker Butler  
Kin Hubbard  
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Alfred Henry Lewis  
Arthur B. Reeve  
Bailey Millard  
David Graham Phillips







Every Necessity  
of Life has "gone up"  
except

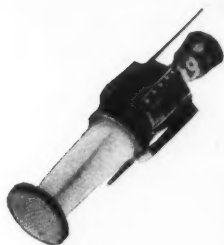


# SAPOLIO

the great necessity—still doing the work, reducing drudgery, lightening labor, saving time and money. It is still the large, solid, unwasting cake, still sold at the same price, and it still

**Cleans, Scours, Polishes—  
Works Without Waste**

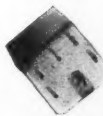




## THE DOUBTER

By JAMES J. MONTAGUE

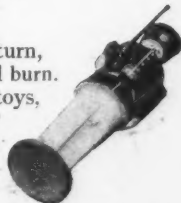
**O**HO! you little Doubter, creeping down the winding stair,  
Before a snowbird ventures forth to try the morning air,  
If Santa Claus should see you now, among the shadows dim,  
And know what cynicism shakes your young belief in him,  
He'd whip his panting reindeer up, and drive away to seek  
Some other little devotee whose faith is not so weak.



But look! A light beneath the door that beckons on ahead,  
While further down the stair you steal with soft and silent tread!  
Ah! Where is worldly wisdom now, as, with unsteady hand,  
You turn the knob and enter in to yonder Fairy Land?  
And where is all your disbelief, when, shining eyed, you see  
The splendid, sparkling miracle of that enchanted tree?



Now vanishes the demon Doubt; now faith and trust return,  
Drawn hither by the tiny flames that leap and dance and burn.  
For who could rear that fairy tree, all fruited down with toys,  
Save one who lives to bring delight to little girls and boys?  
So faith rekindles in your breast, and blissfully you stand,  
A true Believer, safe within the gates of Fairy Land.



Ah! Little wide-eyed wanderer, too soon you sought to stray  
Along the road where grim Distrust gropes blindly for his way.  
When childhood's magic eyes are dimmed by somber, mirthless age  
Then seek for solace, if you will, life's wisdom-blotted page.  
But through the years on many a tree the candles still will burn:  
While children live, and laugh, and love, will Santa Claus return!





# GO GUIDE OUR FEET IN- TO THE WAY OF PEACE

BY REGINALD WRIGHT KAUFFMAN

DRAWING BY CHARLES A. WINTER



The era of true peace on earth will not come so long as a tremendous percentage of your taxes  
goes to educate men in the trades of slaughter





HIS year again you will observe the birthday of Jesus of Nazareth. If you are a Christian, you will do it because you believe he was the Son of God; if a Jew, because he was a great Jew; if you are of the smug and satisfied whose deity is a metaphysical formula, you will observe it because other people do; and if you are one of those thousands who, like Timour the Tartar, pray indifferently at the shrine of a saint and the tomb of a dervish, you will observe it because you consider that, after all, it is just as well to be on the safe side. ❧ ❧

TO GUIDE  
OUR FEET  
INTO THE  
WAY OF  
PEACE

Good reasons each. But there is one reason that you disregard; one that on this day brings us all together, and ought to bring us all together every day: the Man himself.

You do not believe the divinity of his birth? You have still the divinity of his life. You doubt the miracles he is said to have performed? You have still his life that was miracle enough. Deny all that the zealots have said about him: you cannot honestly deny one of those things which he said about you. If there is a Christian church that is not teaching these things, shape your conduct by his ethics, and you will be more Christian than the church.

Social evolution moves slowly; but it never stops. In spite of the wars waged, of the infamy wrought, in the name of this workingman of Nazareth, it moves forward. Because he was so much bigger than much that was said of him, it may yet move forward faster. ❧ ❧ ❧

The era of true peace on earth will not come so long as a tremendous percentage of your taxes goes to educate men in the trades of slaughter, to arm and support them through lives in which they cannot practise even those trades. It will not come so long as you in your business have to fight your neighbor in the same business. It will not come so long as you and your neighbor have to race each other toward the same job. ❧ ❧ ❧ ❧

But it will come. It will come when evolution has taken the next step forward. And one of the ways in which you can help its coming is a more careful remembrance of the Man whose birthday you are about to observe — the first gentleman: born of an untutored girl, cradled in a manger, trained as a carpenter, and executed as a criminal.





He picked up a bit of white chalk, went over to her, knelt down, and traced on the floor the outline of her shoes—See page 189

Drawn by Charles Dana Gibson  
Illustrating "The Common Law"  
By Robert W. Chambers



# Holiday Cosmopolitan

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No. 2



## The White Man's Hand at the Red Man's Throat

By treaties made in 1830 vast areas of land were conferred upon the Indians. Some of these lands were inconceivably rich in coal, oil, and asphaltum. This great wealth attracted organized cupidity, and there has been nothing but trouble ever since

## What Are You Going to Do About It?

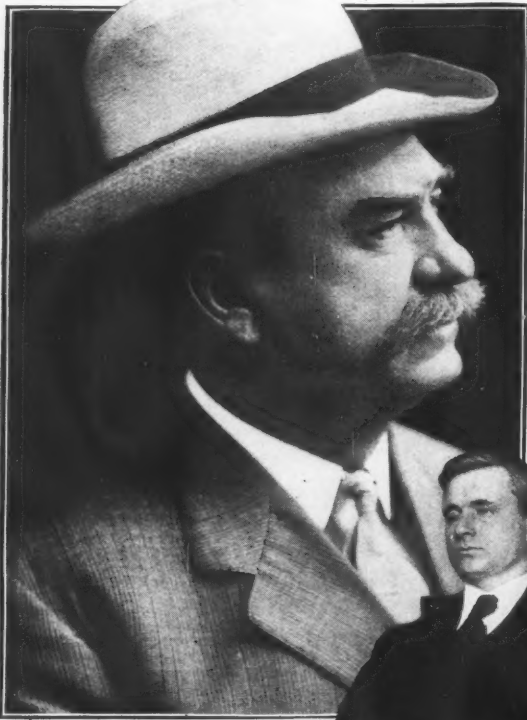
### 6. Senator Gore's Strange Bribe Story

By Charles Edward Russell

ONE day last June the somewhat sordid game of politics at Washington had a dramatic interruption. Senator Gore, of Oklahoma, had been desperately fighting a certain piece of rotten legislation, and fighting it in vain. Although the thing he opposed profoundly affected the honor and good faith of the nation, hardly one person outside the Senate Chamber was aware of the issue. The newspapers reported none of it.

Suddenly Senator Gore swung upon the scene the white light of publicity, and the game stopped short. A wonderful transformation followed. What had seemed to be an easy piece of villainy suddenly became impossible, the rotten bill vanished, the nation awoke and questioned, various political and financial rats went scurrying back to their holes, and the atmosphere, which had grown thick in the Senate Chamber, instantly cleared. One man,





J. F. McMurray, of the law firm that dealt, and is dealing, so profitably with the Indians

himself crippled, wrought this astounding change in one moment merely by compelling the country to look. What he told was the story of an attempt to bribe him. For the time being no more was necessary. A nation sick of graft and resolved to have no more of it did the rest. The rotten legislation perished, Senator Gore won his point, the virtuous Congress, in righteous indignation (or so it seemed), appointed committees to investigate his charges. Something of this, possibly, you already

know. What you do not know, and what I wish I could impress upon you, is that this is not one-quarter of the story, and that in the untold three-quarters lies the heart of the national malady. No one that will attentively observe this chronicle can fail to see what is the real matter with us. Municipal graft, state graft, legislative graft, jack-pots and slush funds, all come back to one origin, but here you have a phase of it at once unique and beyond all the others in point of instruction.

The legislation that Senator Gore was fighting was the most innocent-looking thing in the world. Senator Gore had introduced an amendment to the General Deficiency bill providing that contracts with the Choctaw and Chickasaw

Indian tribes relating to the sale of coal- and asphalt-lands must be approved by Congress.

When the bill came out of the conference committee Senator Gore discovered that it had been modified so that approval of such contracts should be made by the President of the United States and the Secretary of the Interior. That was all. Senator Gore thundered against the change, explaining why it was both important and iniquitous. Nobody heeded him; the thing had been programmed by the forces that quietly control our legislation, state and national; it was slated and

Senator Gore, of Oklahoma, who declared in open Senate that he had been offered money to cease his opposition to contracts in which well-known public men were said to be interested



certain to pass—until with one sentence he blew up the works.

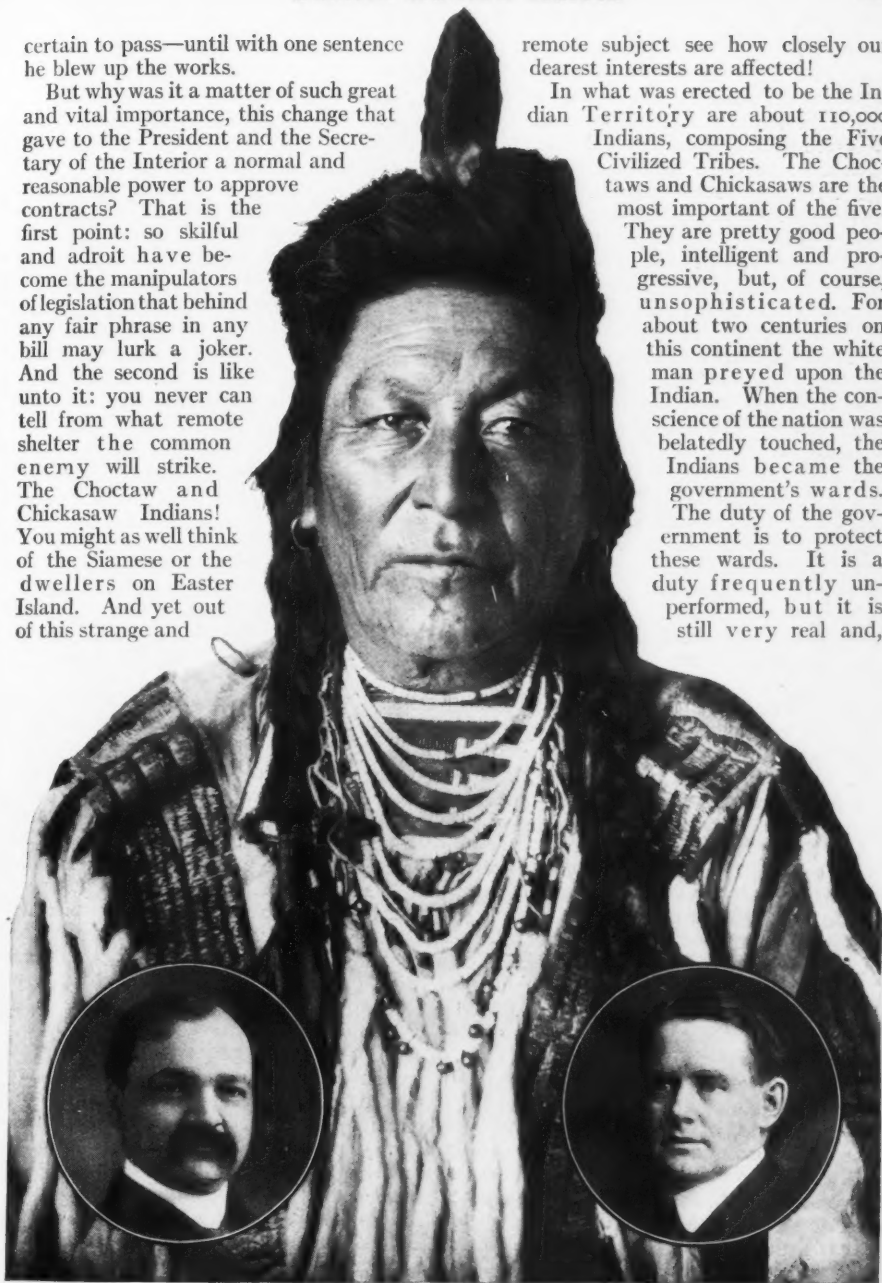
But why was it a matter of such great and vital importance, this change that gave to the President and the Secretary of the Interior a normal and reasonable power to approve contracts? That is the first point: so skilful and adroit have become the manipulators of legislation that behind any fair phrase in any bill may lurk a joker. And the second is like unto it: you never can tell from what remote shelter the common enemy will strike. The Choctaw and Chickasaw Indians! You might as well think of the Siamese or the dwellers on Easter Island. And yet out of this strange and

remote subject see how closely our dearest interests are affected!

In what was erected to be the Indian Territory are about 110,000 Indians, composing the Five Civilized Tribes. The Choctaws and Chickasaws are the most important of the five.

They are pretty good people, intelligent and progressive, but, of course, unsophisticated. For about two centuries on this continent the white man preyed upon the Indian. When the conscience of the nation was belatedly touched, the Indians became the government's wards.

The duty of the government is to protect these wards. It is a duty frequently unperformed, but it is still very real and,



PHOTOGRAPHS OF CURTIS AND BURKE COPYRIGHT BY HARRIS & EWING

"Many Achievements," a warrior who won his name before the white man prescribed boundaries for the Indian and taught him the cunning of duplicity.—Charles Curtis (left), Indian senator from Kansas, accused by Gore.—Representative Burke, chairman of the investigating committee that whitewashed Sherman and Curtis



if we care for sacred obligations, very important.

By treaties made with the Five Civilized Tribes in 1830, vast areas of land were conferred upon the Indians—a kind of bone thrown at them in lieu of the riches of which they had been despoiled. Some of these lands were very fertile; some were almost inconceivably rich in coal, oil, and asphaltum. Individual schemers with unscrupulous lawyers long tried to get hold of the fertile lands; but when the coal, oil, and asphaltum were discovered this vast wealth attracted the cupidity that is organized as well as expert and alert, and there has been nothing but trouble ever since. That is to say, the Coal Trust wanted the coal-lands, the Asphalt Trust wanted the asphaltum-lands, and the Standard Oil interests, which are interlaced with the other two, could, of course, be trusted to attend to the rest. Anything that is left out of doors is in the line of these benevolent institutions.

Long before they got around to their opportunities in the Indian Territory the door there had been thoughtfully opened for unscrupulous practices. From the making of the treaties in 1830 to 1896 the question of the number of Indians in the Chickasaw and Choctaw tribes had been left to the Indians and their governors. Something of free institutions had been set up among the tribes; their officers were chosen by popular vote under a form of government like that of an American state. Two parties grew up, and the elections turned on the contests of these parties. For generations the Chickasaws and Choctaws have intermarried more or less with whites and with negroes, so that they have among them many persons not of full Indian blood. It was upon a fact as small as this that the gates of graft were hinged. Under the terms of the treaty the half-breeds had the same standing and rights as the others, but when, in a contest at the polls, one Indian party would defeat the other, the victors would celebrate their success by striking from the rolls of the nation all the half-breeds that belonged to the defeated party. Two or three years later the vanquished would become the victors, whereupon they would restore their own members and reject the others. The result was that many Indians found themselves alternately on and off the rolls,

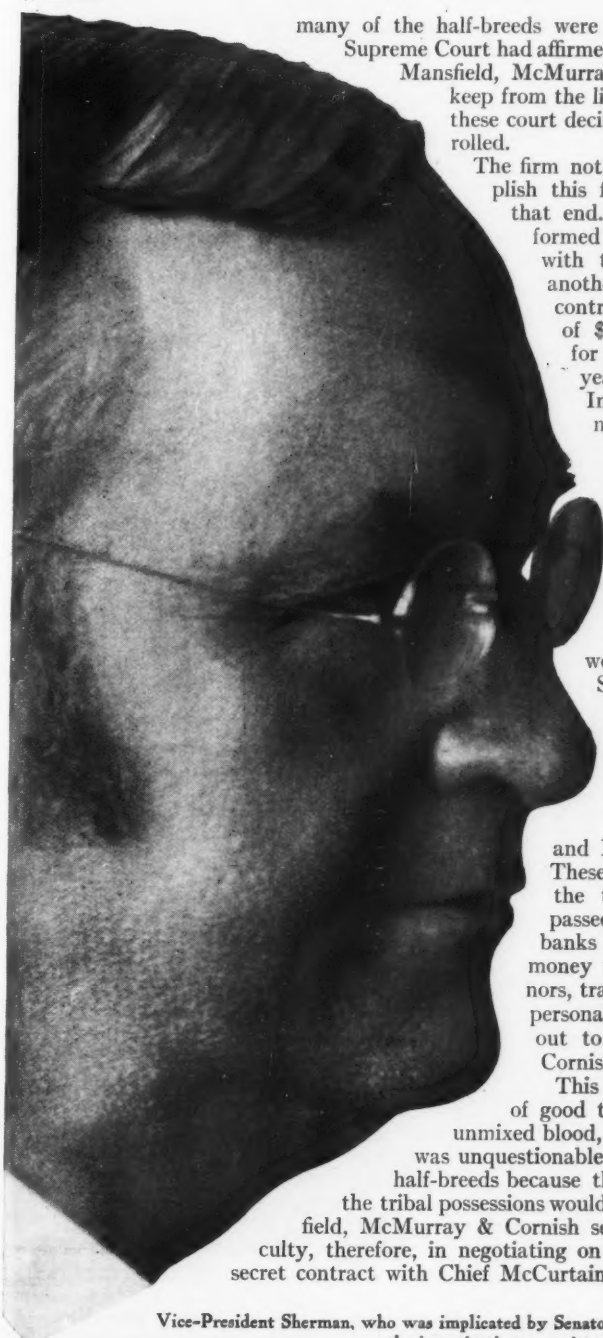
and suffered, in consequence, a genuine hardship. While they were off the rolls they had no share in the tribal prosperity.

By 1896 so many of these had come to Washington with bitter complaints (long neglected) that Congress appointed what was known as the Dawes Commission to go to the Indian Territory and straighten out matters by putting upon the rolls the names of all persons entitled to be there, and then closing the rolls, so as to stop the practice of hopping on and hopping off. The commission went to the Indian Territory and adjudicated these matters. From its decisions appeals were taken affecting the rights of about seven thousand persons in the Chickasaw and Choctaw nations, and about four thousand received judgment. Here was where the astute attorney slipped in. The appellants must have counsel before the United States District Courts; the tribesmen that were opposing the applications must have counsel no less, and into this inviting field suddenly entered the law firm of Mansfield, McMurray & Cornish, and began to do an amazing business.

George Mansfield was a lawyer from Arkansas, J. F. McMurray had been a school-teacher at Gainesville, Texas, and Melvin Cornish, who is assumed to be the strongest member of the firm, had been, first, private secretary to Bass Little, member of Congress from Arkansas, and then stenographer to the Dawes Commission, which had excluded from the rolls many half-breeds. These three, not previously distinguished in jurisprudence, formed a partnership in 1899, when the litigation caused by the Dawes Commission was beginning. Almost at once the new firm enjoyed a phenomenal practice, and from the first it seemed to be blessed in a remarkable degree with the favor and esteem of great men. Among these were United States Senator William M. Stewart, familiar in Southern Pacific history, and Mr. James Schoolcraft Sherman, then a representative from New York and chairman of the House Committee on Indian Affairs, now Vice-President of these United States. Yet the principal business of the new firm seems somewhat peculiar and hardly such as to enlist the sympathy of men of the nicest scruples. The United States District Court had held that, in spite of the work of the Dawes Commission,



(C) FACH BROS.



many of the half-breeds were entitled to enrolment; the Supreme Court had affirmed this decision. Nevertheless Mansfield, McMurray & Cornish undertook to keep from the lists names of men that under these court decisions were entitled to be enrolled.

The firm not only endeavored to accomplish this feat, but took contracts to that end. Very soon after it was formed it made one such contract with the Chickasaw nation and another with the Choctaw. Each contract called for an annual fee of \$5000 and \$2700 allowance for expenses. Total, \$15,400 a year. The Secretary of the Interior approved these documents.

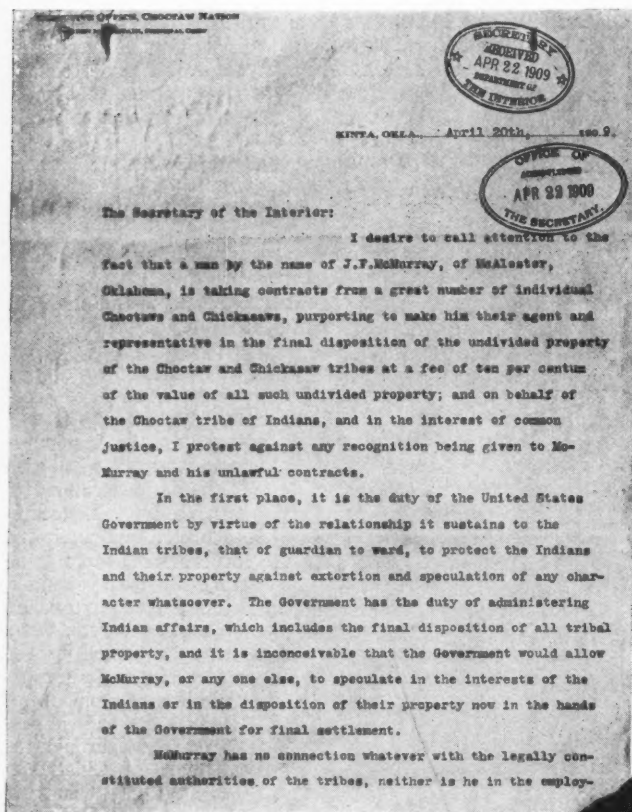
Next year the firm made a new contract with each of the nations, calling for an annual fee of \$5000 in each case and unlimited expenses. These contracts ran seven years, and netted \$70,000 in fees and \$189,000 in expenses. They were never approved by the Secretary of the Interior, as the law prescribed, but the firm got the money, nevertheless, through the assistance of Chief McCurtain of the Choctaws and Governors Johnston and Mosely of the Chickasaws. These officers issued warrants on the treasuries of the nations, passed the warrants through the banks at Ardmore, placed the money to their accounts as governors, transferred it thence to their personal accounts, and checked it out to Mansfield, McMurray & Cornish.

This was merely the beginning of good things. The Indians of unmixed blood, whose right to be enrolled was unquestionable, desired to keep out the half-breeds because thereby their own share in the tribal possessions would be greater. Messrs. Mansfield, McMurray & Cornish seem to have had no difficulty, therefore, in negotiating on January 17, 1901, a new secret contract with Chief McCurtain and Governor Mosely, on

Vice-President Sherman, who was implicated by Senator Gore, but whitewashed by the investigating committee



## What Are You Going to Do About It?



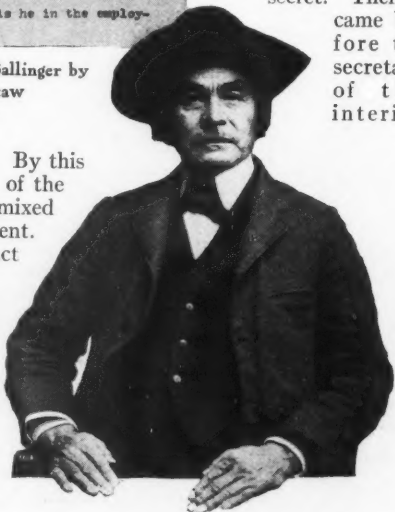
First page of a letter of protest written to Secretary Ballinger by Green McCurtain, principal chief of the Choctaw Nation. The last page is shown opposite

terms still more advantageous to the firm. By this pact the firm was to receive nine per cent. of the value of all property it might save to the unmixed Indians by excluding Indians of mixed descent. Paragraph six of this extraordinary contract reads as follows:

That the compensation of the said Mansfield, McMurray & Cornish, parties of the second part, under this contract, shall be nine per centum of the value of the shares of tribal property which such so-called "court claimants" as hereinafter shall be defined, as may be refused allotment or distribution of tribal property, would have received in the event of the allotment or distribution thereof to them, whether from past or future services to this end; and that for the purpose of this contract it is agreed that the share of the tribal property a "court claimant" would receive, in the event of allotment and distribution thereof to him, is of the value of \$4800 and is hereby so fixed; and the

term of "court claimants" as herein used, shall include all persons whose names were embraced in what purported to be judgments of the United States Courts on Indian Territory, admitting them to Choctaw and Chickasaw citizenship under the said act of Congress, approved June 10, 1896, and all persons who have been born to or become intermarried with them and who are claiming rights thereby. That such compensation shall be due and payable by the Treasury of the United States, at the Treasury, out of any funds of the Choctaws and Chickasaws in the hands of the government, in proportion of three-fourths out of the Choctaw and one-fourth out of the Chickasaw funds, whenever the roll of those persons entitled to allotment and distribution shall become final.

The sum that the firm stood to gain by this peculiar document was \$1,728,000. For two years the arrangement was kept secret. Then it came before the secretary of the interior,

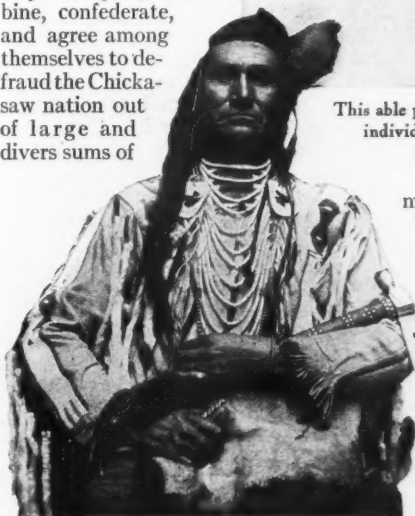


Wilson Jones ("Crazy Snake"), a prosperous and self-reliant Indian of Oklahoma

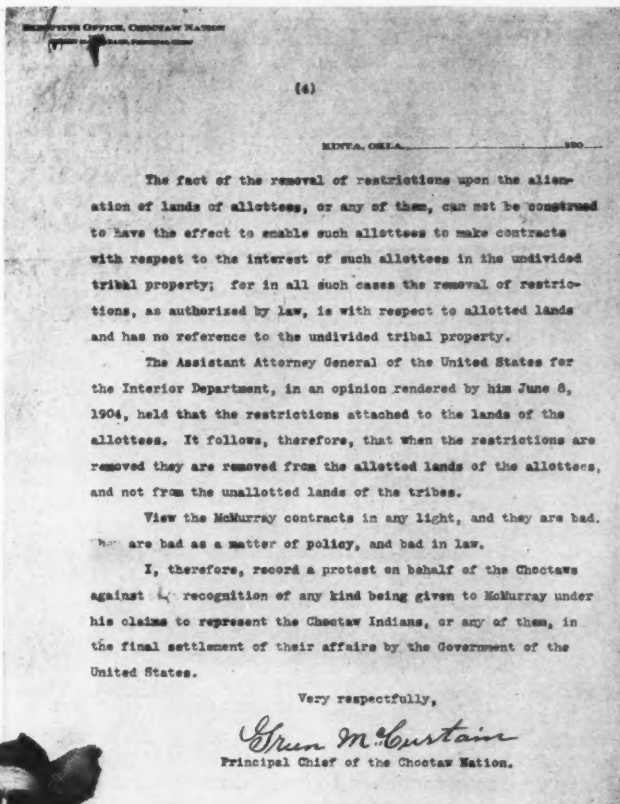


Ethan Allen Hitchcock, for his approval. He declined to approve it, because he thought the amount involved was too great, but he offered to compromise the claim for \$250,000. The firm refused to accept the offer, and thereupon the scandal began.

On June 24, 1905, the grand jury of the United States District Court at Ardmore indicted for conspiracy George Mansfield, J. F. McMurray, Melvin Cornish, members of the firm, and the Indian governors, D. H. Johnston and P. S. Mosely. The indictment charged that the accused "did falsely, feloniously, unlawfully, and wickedly conspire, combine, confederate, and agree among themselves to defraud the Chickasaw nation out of large and divers sums of



"Holds the Enemy," a Crow, type of the Indian who has not accepted civilization and is doomed to disappear



This able protest was made by Chief McCurtain because of the individual nature of the contracts. He had previously agreed to a similar contract for the nation

money in the treasury of the United States belonging to the said Chickasaw nation." You would naturally expect this indictment to be based upon the secret contract described, which was quite illegal; but it had no such foundation. It grew out of the transactions under the former or lawful contract by which the Indian governors are alleged to have made such remarkable transfers between their various accounts. If the grand jury thought that these operations were unlawful, how do you suppose it would have regarded the secret contract if that contract had then been revealed!

But already the Mysterious Power from behind the throne that has so often been exerted in such cases was at work in behalf



## What Are You Going to Do About It?

of the indicted men. Theodore Roosevelt was then President of the United States; W. H. Moody was attorney-general; Mr. Cecil A. Lyon was the influential Republican boss of Texas. It appears that Mr. Lyon took a deep and peculiar interest in these indictments, urging upon the administration that they be dismissed. One at least of his telegrams recorded in the Department of Justice is couched in language very unusual from a private citizen to a public executive. President Roosevelt was importuned to interfere. A special agent of the Department of Justice was sent to the Indian Territory to investigate the case. On his report, which has since been riddled,\* the Attorney-General on December 5th telegraphed W. B. Johnson, United States District Attorney for the Southern District of the Indian Territory to dismiss the indictments. On December 8th Mr. Lyon, of Texas, telegraphed President Roosevelt as follows:

In spite order Attorney-General cases against Johnston, McMurray et al., not dismissed Ardmore, Ind. T. Please so direct.

The fact was that District Attorney Johnson was protesting vigorously against dismissing the indictments and had virtually refused to dismiss them. On December 18th President Roosevelt removed Johnson from office for this refusal, but subsequently reinstated him. District Attorney Johnson continued to insist that the indictments should be pressed, and to the end of his term declined to dismiss them, supporting his contention by a powerful array of facts. His term expired on February 1, 1906, and his successor was of very different views about the indictments. After allowing them to rest undisturbed for twenty-one months he finally dismissed them November 13, 1907, on the express order of Mr. Bonaparte, who had then succeeded W. H. Moody as attorney-general.

I suppose this remarkable story bears its own comment.

The next manifestation of the Mysterious Power was of a different nature. When Secretary Hitchcock refused to sanction the \$1,728,000 contract, members of the firm of Mansfield, McMurray & Cornish came to Washington and set up a plaint. They said that the judgments in the United States courts by which the half-

breeds had been restored to the rolls were obtained by fraud, and that as a matter of fact these cases should have been tried by a new legislative court of three persons, to be known as the "Choctaw and Chickasaw Citizenship Court," a tribunal provided for by the act of July 1, 1902. Thereupon some persons interested in the matter made an investigation and found singular facts. It appeared, for instance, that when the act of July 1, 1902, was before the House Committee, where this provision for the Citizenship Court was inserted, the hearings were not recorded, and there were strange differences between the bill as submitted and as it passed the house. There appeared, further, only too good reason to think that the real purpose and effect of the bill were to give the attorneys a chance to take these citizenship cases to a court irregularly constituted and easily controlled. If this were true the advantage of the attorneys was apparent. There were thousands of pending cases, each case was arbitrarily valued at \$4800, on each case the lawyers were to have nine per cent.

Still more disturbing than these indications was the fact that the bill had been captained through the Senate by Senator William M. Stewart, of Nevada, and through the House by James Schoolcraft Sherman, then chairman of the Committee on Indian Affairs, now Vice-President of the United States. Of some of Mr. Sherman's activities, at least, there can be no doubt. He approved the measure and voted for it, both in the Committee and in the House, where he worked on the floor for its passage.\*

By section thirty-one of the act the Chickasaw and Choctaw nations, acting together or separately, were authorized to file in the new legislative court a bill in equity citing ten representative persons that had been admitted to citizenship by the United States District Court, to appear and show cause why the judgment of the United States District Court should not be annulled. This in spite of the fact that in a test case (*Stevens vs. Choctaw Nation*) the District Court had been upheld by the United States Supreme Court—a slight of impudence likely to take your breath away.

The ten representative cases were heard by the legislative court, and the judgment of the District Court was annulled! About seven thousand Indians were in danger of losing

\*Sixtieth Congress, First Session. Senate Document No. 398, pp. 33 to 46.

\*See Congressional Record for that session.



their birthright. Many of them hastened to appeal to the legislative court. This court heard sixty-three of the cases, and allowed Mansfield, McMurray & Cornish \$750,000 as compensation. One member of the court, placed there by Senator Stewart through Lyon and McMurray, wanted to make it \$1,500,000. Under the law the award of compensation by the court must be approved by Congress. Consequently, the Indian Appropriation bill, approved by Theodore Roosevelt on March 3, 1903, authorized the Citizenship Court to give this monstrous compensation.

One of the persons whose names were cut from the rolls by this process was a half-breed named Lulu West. She carried the case to the Attorney-General of the United States, and he ruled that neither Congress, the Citizenship Court, nor any other court had the right to strike from the nation's rolls names that had been there when the trouble began. Nevertheless this remarkable firm has since been at work resisting claim after claim. Hundreds of attorneys have tried to get before Congress the cases of men and women deprived of rights apparently upheld by the Supreme Court as well as the Attorney-General. These efforts have so far been in vain. Meantime Mansfield, McMurray & Cornish have done

well. Here are some of the fees they have pocketed:

1899—Salary (valid).....	\$80,000
1899—Expenses (valid).....	43,200
1900—Salary (no warrant of law for payment).....	70,000
1900—Expenses (no warrant of law for payment)....	189,000
1903—Salary, Mississippi Choctaws (void, but paid).....	27,500
1903-4—Salary, Mississippi Choctaws (void, but paid).....	22,500
1905—Expenses (invalid, but allowed by Congress)....	150,000
1905—Fees (no valid contract, but allowed).....	750,000
Total.....	\$1,332,700

This carries the record down to 1905, when the indictments against the firm and the

Indian governors were ordered dismissed. The next chapter of the story opens the same year with representations from Mr.

McMurray to the Chickasaws and Choctaws about their asphalt- and coal-lands. He reminded them that his firm had kept off the rolls about 32,000 half-breeds and others that had claimed shares in the tribal properties, and he estimated the amount thereby saved to the others at \$16,000,000.

There was now a chance, he said, to dispose of the rich mineral-lands, and he proposed for a certain fee to act as the Indians' agent in the matter. The Indians liked the idea, and McMurray signed up with them a new contract.

About the same time agents of his, going industriously and withal quietly

The Indian of yesterday and to-day. "Rising Wind" (top), an old Choctaw warrior; Dr. E. N. Wright, Choctaw resident delegate at Washington; Green McCurtain, principal chief of the Choctaws





WHEREAS, It is not right or proper that McMurray should be allowed to represent, or pretend to represent, the Choctaw and Chickasaw Indians, or any of them, before the Congress of the United States or the Committee thereof, or before the Department of the Interior, the Indian Office or any authority of the Government under said void, unjust and unreasonable contracts, or under any contract or contracts which have not been approved by the proper authority of the United States Government, and thereby lay a basis for a claim against the Indians on account of said void,

Another Indian protest against individual contracts. The whole Choctaw tribe is now attempting to check McMurray's pernicious and costly activities.—Peter Hudson, Choctaw delegate at Washington

about, secured individual contracts with about ten thousand Indians, authorizing him to sell their own separate holdings of coal- and asphalt-lands. These holdings comprised 450,000 acres, estimated to be worth from \$30,000,000 to \$160,000,000. In the general contract with the nation and the separate contracts with individuals the terms were the same. McMurray was to get ten per cent. of the sale price of the lands.

To these contracts the approval of the President of the United States was necessary. The general contracts with the two Indian nations came before President Roosevelt. Acting on reports by the Secretary of the Interior and the Attorney-General, the President, on February 17, 1908, refused his approval. The individual contracts came along after Taft had succeeded Roosevelt. An almost inconceivable pressure was brought to bear upon the President to secure his approval. Political influence from the Middle West and other influences from much farther East combined to put the contracts in the most favorable light. Former Senators Chester I. Long, of Kansas, and John M. Thurston, of Nebraska, were retained as McMurray's special counsel. Both were highly esteemed at the White House. Cecil A. Lyon, Republican national committeeman from Texas, reappeared upon the scene and exerted his great power upon the same side.

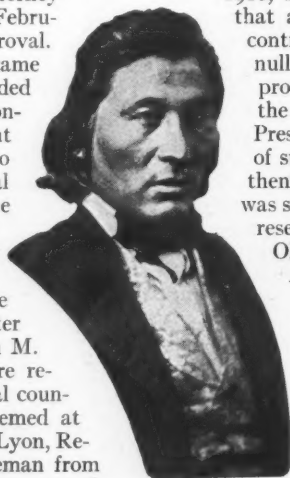
But meantime the matter had come

to the attention of Senators Gore and Owen, of Oklahoma, and both entered emphatic protests against the project. Senator Gore, in a remarkable letter to the Attorney-General, informed him that back of McMurray stood a syndicate in New York with \$30,000,000 for the deal, and that the fee proposed in the contract would be the largest ever paid anywhere. If those officially charged with the protection of the Indians were not equal to the task, Senator Gore wrote, the best legal talent could be had to help them for a fee of one-tenth of one per cent., instead of the ten per cent. McMurray demanded. Still the matter lagged, and Senator Gore, growing fearful of the result, plumped it all into Congress on May 4,

1910, by introducing a bill providing that all individual as well as tribal contracts with the Indians should be null and void until specifically approved by Congress, thus taking the matter out of the hands of the President and lessening the chances of such powerful influences as were then at work. This move by Gore was supported in the House by Representative Creager, of the Third Oklahoma district.

Almost at once Washington began to swarm with a powerful lobby in the McMurray interest. Headquarters for this lobby were established at the Occidental Hotel; thence a skilful and incessant campaign was directed.

On May 6th, sitting in his office, there entered to Gore Mr. Jake L. Haman, former chairman of the Oklahoma Republican committee and



"Sho-ni-on," one of the earlier "civilized" Chickasaws



BE IT RESOLVED BY THE GENERAL COUNCIL OF THE CHOCTAW  
NATION ASSEMBLED:

Section 1. That the President, the Congress of the United States and the Secretary of the Interior be, and they are hereby, respectfully memorialized and requested to protect the property of the Choctaw and Chickasaw tribes against the operation of any and all contracts entered into with J.V. McMurray by the members of the Choctaw and Chickasaw tribes, or any of them, affecting, or designed to affect, the undivided property of said tribes.

The resolution adopted by the Indians after the recital of their grievances due to McMurray's schemes and the declaration that his contracts with them are void.—Jackson Fish, an influential Chickasaw



an influential man. Mr. Gore's account of the conversation that ensued differs materially from Mr. Haman's. According to Mr. Gore, he was very much shocked and agitated by what Mr. Haman said, and, being unwilling to harbor such a secret, went at once to Senator La Follette and told him what had happened.

Meantime Gore's Indian Contract bill seemed to be sidetracked, and the President had not decided about the approval of McMurray's scheme. May drifted out with nothing done. Early in June Senator Gore, becoming impatient, secured from Senator Hale a promise that his Indian Contract bill should be added to the General Deficiency bill as an amendment. It contained a provision that the Indian Committee should investigate the proposed sale of the asphalt- and coal-lands.

When the General Deficiency bill was reported Senator Gore was amazed to discover that some fine hand had been deftly at work upon it. By changing the wording of one phrase the provision that these contracts should be approved by Congress was made to read that they should be approved by the President and the Secretary of the Interior.

The Power had been at work again.

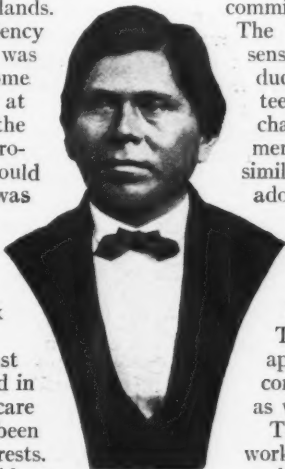
This was the thing against which Senator Gore thundered in vain. Nobody seemed to care about the trick that had been played upon the public interests. Therefore when it became evident that the thing was to be jammed through in spite of his protests, he played his last card. He told the

story of his conversation with Mr. Haman, and startled the nation. Haman, he said, had come to him to induce him to desist from his opposition to the McMurray contracts and to let them go through, and had offered him to that end a bribe of \$25,000. A man holding very high office in the national government was represented as interested in the contracts and desiring them to be approved; so were other men, members and former members of both houses. Therefore Senator Gore might be assured of the perfect respectability of the project and the safety of accepting the offer made to him. Senator Gore did not at that time reveal the names, but he was ready to reveal them before an investigating committee.

The revelation caused a profound sensation. A resolution was introduced in the Senate for a committee to investigate Senator Gore's charges. It appearing that a member of the House had been similarly approached, the House adopted a like resolution.

After the Senate resolution had been passed and the Senate had adjourned, it was discovered that there had been a most strange omission. The Senate had neglected to appropriate any money for its committee. Therefore it might as well not have been appointed.

The House committee went to work. It proceeded to Oklahoma and summoned witnesses. Senator Gore appeared, and for the first time related in full his conversation with Mr. Haman. He also re-



Allen Wright,  
one of the  
younger  
Choctaws



vealed then the name of the man high in the United States government that Haman had assured him was interested in the McMurray contracts. It was Vice-President Sherman. Others that, according to Senator Gore, had figured in Haman's argument as interested in the deal were Senator Curtis, of Kansas, and Representative McGuire, of Oklahoma.

Representative Creager testified that he had been approached in the Occidental Hotel and offered a "substantial interest" if he would withdraw his opposition. He also was assured that prominent public men were interested in the contracts.

D. C. McCurtain, delegate of the Choctaws to Washington, testified that in 1906 J. F. McMurray had offered him, in the Raleigh Hotel, a bribe of \$25,000 to withdraw his opposition to the tribal contracts.

Green McCurtain, chief of the Choctaws, testified that George W. Scott, who he believed was acting for McMurray, offered him one-fourth of the profits of the contracts.

Much other testimony was taken, indicating that many persons expected to have slices of the mineral-lands pie when it should be cut.

Haman and McMurray denied any offers or intent to bribe anybody.

August 20th the committee adopted a report. It was "unanimously of the opinion that there is and was no warrant for any person to use the names of Vice-President Sherman and Senator Charles S. Curtis in connection with any improper relation with any Indian contract whatever."

Whereupon, to the amazement of all observers, it suddenly ceased from its labors. It had opened up what seemed to be one of the most promising fields of inquiry ever presented to any investigation, and without more than a glance it turned tail and scooted back to Washington. That no such abrupt termination of its career was expected in any quarter is sufficiently shown by the tenor of the press despatches. Unless the committee had received occult information from sources unknown it was in no position to report about anything it had been directed to investigate. It had listened to conflicting testimony concerning certain points, but on certain others ample testimony had been offered that there had been crooked work. The outlines at least had been disclosed of a colossal scheme to get possession of the riches of the mineral-lands, to

get them by improper means, and to get them for the benefit of some persons not revealed in the investigation. It also seemed probable enough that for many years the Indians had been subjected to a gigantic graft. Wards of the nation, they had likewise been the victims of its neglect and the prey of sharpers whose lines reached unmistakably to Washington.

Thus at the outset of its inquiry the committee abandoned these suggestive fields. As soon as it had officially exonerated Mr. Sherman its functions seem to have ended. Since then it has not operated in any way discoverable to man. What it will report is only surmisable, but apparently it has nothing to report on. Where it might have turned up matter to astound every citizen it did nothing but wield a large whitewash brush.

The Power again. Meantime it appears that the McMurray activities continue without material abatement other than that brought about by the passage of Senator Gore's bill. Strange as it may seem, the futile indictment abandoned by the Roosevelt administration was never renewed. Still stranger, the illegal contract, apparently much worse than any allegations on which the indictment was based, has never had the least official attention, the money secured under it has never been returned, the peculiar arrangements with the Indians have not been illuminated and are not likely to be. The Indians have lost their money, and it will probably remain lost, for all these matters have drifted into the region of things conveniently forgotten, along with the extraordinary allegations of bribery that were produced before the House committee.

Meantime, also, the thoughtful citizen may well betake himself to analogy and reflection. Is it not strange that in so many of these cases a mysterious Power arises to shut off inquiry or defeat prosecution? Is it not strange, too, that in so many instances the footprints of this Power lead in the same direction and look so much alike? Suppose we should find some day that the influences that emasculated the Meat Inspection bill, the Hepburn Railroad Rate bill, and the Pure Food bill were the same that have seized the nation's water-powers, nullified the jack-pot prosecutions in Illinois, and stopped the Indian investigation at the outset of its legitimate inquiry? What then?

The next article in this series by Charles Edward Russell will appear in the February issue.



# An Up-to-the-Minute Xmas

FOUR ULTRA-MODERN PEN-PICTURES OF THE NEW CHRISTMAS SPIRIT

Illustrated by Horace Taylor



## Paw's Christmus Present

By Kin Hubbard (Abe Martin)

IT'S th' mornin' o' December twenty-four.

"Well, Ellie, what'll we git fer paw?" says maw, lookin' up from a pile o' packages.

"Why, se-gars, o' course, maw," says Ellie, as she takes th' last stitch in a whisk-broom receiver that she's made fer a certain party.

Beginnin' early in October, maw neglects her home an' starts out t' shop fer Christmus. Ever'buddy in th' family, ever' relative on both sides, an' all th' neighbors er looked after—an' then at th' last minute comes paw. So Ellie is sent out t' buy a box o' se-gars.

"Git good se-gars, Ellie. Git good, five-cent se-gars," says maw, as Ellie leaves the house.

Now ther' hain't nothin' a clerk likes better'n t' have a woman come in an' ask t' see some se-gars "suitable fer a man." That's his chance t' shove out a nice fancy box full o' dried-out, shiny, vaneered, short-filler, "samantha"-wrapped perfectos, an' when he opens 'em an' shows th' gaudy, eight-color embossed stock label on the lid it's a blow-off—an' ther sold.

On Christmus mornin' when paw takes one an' bites int' it th' dust flies jist like steppin' on a dried puff-ball in th' woods, an' when he lights it it smells jist like a G string burnin' up.

"What kind is these, maw?"

"I think Ellie said they wuz th' Colorado Maduro 50."

An' paw falls back in his chair while th' se-gar burns up like a load o' hay.

Women do th' blamest things when it comes t' Christmus presents. Last year Mrs. Tilford Moots give th' rural mail-carrier a volume o' Bryant's poems, an' th' feller looked up wild with joy, an' said: "Gee, but I'm glad t' git these, lady. I voted fer that feller three times."

Th' hardest thing, next t' an easy payment, is tryin' t' find somethin' suitable t' give Aunt Mary. She's been in th' game so blamed many years that she's got ever'thing from a croquet set down t' a German silver ear-pick, so 'bout all you kin do is t' give her another white metal nut-cracker.

Did you ever go int' a jewelry-store in December an' see th' tall, shiny youth on a meager salary leanin' o'er th' showcase with his nose agin th' glass? He has one hand on his twelve dollars, an' with th' other he wipes th' steam off th' case while he looks longin'ly into a tray o' sparklin' diamond rings. He's th' feller with th' grand-opery appetite an' th' "Uncle Tom's Cabin" income, an' he is wonderin' if he would live an' keep his health long enough t' pay fer one. Miss Tawney Apple says



When he shows th' gaudy stock label on th' lid it's a blow-off—an' ther sold



that th' first thing t' turn green in th' spring is Christmus jewelry. But she's prejudiced. She's only nineteen years ole, an' she's got twenty-one celluloid manicure-sets in all colors, an' she's goin' with a new feller fer this Christmus an' 'll try it agin.

After you grow up you hardly ever git what you want fer Christmus—especially if you er married. In th' mornin' when th' mantelpiece an' sofa an' settin'-room table er covered with presents your wife will show you a familiar-lookin' box o' ernitial handkerchiefs an' then close th' lid an' put 'em away till next year. I know lots o' fellers that git th' same shavin'-mug nearly ever' Christmus.

When it comes t' presents Pinky Kerr has got th' best system. He jist finds out how his girl's mind runs, an' then he goes out an' gits her somethin' that she kin exchange. Miss Fawn Lippincut says that ther's three kinds o' Christmuses—white, green, an' blue. She ort t' know. Last year she got a granite foot-tub in her stockin'.

But as fer as paw is concerned th' great annual hold-up is like politics—jist one rotten se-gar after another. O' course he may git a necktie on th' side, an' that hain't so bad if he's got long whiskers. But withal it's a purty dismal festival fer paw.



On Christmus mornin' when paw lights one it smells jist like a G string burnin' up



Tell Binkley says he don't know o' any sensation that kin equal gittin' up in th' middle o' th' night an' steppin' on a toy train o' cars

Th' newspapers begin in September t' warnin' folks about "only eighty more shoppin' days," an' then it's but sixty-two more shoppin' days, an' then thirty-one, and so on till folks git so blamed crazy that some o' them pawn their clothes-wringers t' git in th' game. When I wuz a boy I allus got a pair o' copper-toed boots in October fer Christmus, an' that wuz th' end o' it.

O' course ther's some that don't take no stock in Christmus. Now, there's Tell Binkley. He says that next t' bein' suddenly confronted with some damagin' evidence he don't know o' any sensation that kin equal gittin' up in th' middle o' th' night an' steppin' on a toy train o' cars,

an' ole Constable Newt Plum says he would like t' see a Christmus when ever'buddy got what wuz comin' t' 'em.



# Peace on Earth in the Shopping District

By Wallace Irwin

**O**LD Scrooge, according to Dickens, was the original Christmas tightwad who, at the tide of Yule, locked his heart in the safe and forgot the combination. Scrooge has been the favorite bugbear of the generations, but I am beginning to believe that he is like Nero, Rockefeller, and Dr. Cook, a highly misunderstood and neglected philanthropist. Mr. Scrooge, true to a grounded principle, kept his money at Christmas; he added no burden to the overworked shopgirls in the department-stores; he put no obligations upon needy relatives to make extravagant returns for his useless presents. Yea, my friends, we need more true men of his breed. Christmas is drawing nigh, and I hereby appoint myself corresponding secretary of the International Society of Scrooges.

I once had an aunt who, during the holiday season, used to mail to each of a thousand friends and relatives a penny postcard bearing the motto, "It Is More Blessed to Give Than to Receive." Thus, at the annual expense of \$10, she spread a noble sentiment and put herself under heavy obligations to no one. She died rich.

Peace on earth, good-will to men! Peace and good-will come high in these commercial times. Your wife's good-will may cost you fifteen hundred dollars in the shape of a diamond brooch; the good-will of your friend with whom

you wish to keep up appearances may amount to a couple of hundred dollars—and then there's the janitor and the chauffeur and the long line of servitors with tingling fingers. Come! Let's go shopping.

Down in Sixth Avenue, where the great god Demos sends the Plain People in mad-dened hordes through the department-stores, there is a riotous scramble to get something that looks like Fifth Avenue at a tenth the price. Little Lizzie Ferguson, queen of the cut-glass department, is so tired she's losing half her artificial puffs and doesn't care. She hates Christmas week. Mr. Wilson, the floorwalker who ordinarily holds his eyebrows like a Harvard graduate, now rushes wildly back and forth like a Carlisle Indian. He hates Christmas week.

Mrs. Ivy Coogan, of Jersey City, who is trying to make twenty-two dollars furnish Christmas felicity for eight children, a grandmother, and a sick husband, totters dizzily through a labyrinth of useless, gaudy, and imitation articles known to the trade as "Holiday Novelties." She hates Christmas week.

Peace on earth, good-will to men!

Mrs. Coogan rushes into the glassware department with a Keen Kut Krystal vase, ordinary value eighty cents, marked up to one dollar and eighty cents for Christmas trade.

Little Lizzie Ferguson, who has been standing "on her



"No, madam, we won't exchange it. Why?  
It's cracked, that's why"



feet" for ten solid hours, replies to Mrs. Coogan's parley for exchange with the unemotional precision of a phonograph:

"No, madam, we won't exchange it. Why? It's cracked, that's why. You say you'll sue the store? All right, apply to the Complaint Department. Who'll you talk to? The manager, of course. Mr. Wilson! Mis-ter Wil-son!"

Vainly she calls, for Mr. Wilson is on the other side of the store, arresting a blond shoplifter who has been caught stuffing a Gibson pillow into her muff.

Ring out, ye joy-bells of fellowship and love!

Over in Fifth Avenue, where the Smart, or Mortgaged, Set do their shopping, it is much the same, only the manners are softer and the cash harder. Bucket-loads of brooches and hodfuls of pearls are dumped day and night over the counters of Mammon to add to somebody's envy and vanity. Parental plutocrats are buying automobiles in the hope of appeasing their peevish progeny. The frosty light of the solitaire responds to the cruel crackle of the check-book, while the price of the unnecessaries of life go up like U. S. Steel stocks after a stand-pat election.

The shop of Rand, Klondyke & Co. bursts forth with a horrid iridescence of cold fires. Godfrey Splunger, who has reached that stage in the march of prosperity where he owes about one thousand dollars, stops at the window and fondles the three-hundred-dollar roll he carries in his pocket. He has always wanted his Myrtle to dress more like Mrs. Upholst, whose husband is the head of the firm. He hesitates—and you know what happens to him who hesitates. He knows the little flat out on the Upper West Side needs a new carpet for the

trombone hall and a new ice-box for the kitchenette.

"But it would be such a nice surprise for Myrtle," he thinks, "something showy but inexpensive—as much as seventy-five dollars, maybe."

A baldheaded Aladdin stands guarding a crystal cave of flashing miracles. "Something in diamonds?" Freezingly.

"Er—pearls and emeralds might be less expensive." Timorously.

"Here's a pretty thing—emerald set with a coronet of pearls. Of course you can't expect premier stones for eight hundred and sixty dollars." Disdainfully.

"Of course not. Haven't you got something kind of showy in turquoise with—"

"We don't carry semi-precious stones." There is something of the cold glitter of the Kohinoor in the salesman's tone.

Young Splunger apologizes. A stout brunette next him is buying a diamond tiara as big as a lamp-shade. The house detective passes him twice and eyes him suspiciously.

"I'd like to look at that," says Godfrey huskily, pointing to a very mediocre set consisting of two small, off-color stones.

"Two hundred and seventy-five dollars," drawls the clerk. Godfrey tosses his little roll onto the counter and starts sub-wardly with his glittering trifle. At the end of the long trombone hall on the sixth

floor rear facing the air-shaft, his pink but unhappy bride throws herself into his arms. Something dreadful must have happened.

"Oh, Godfrey!" she sobs. "That horrid, leaky ice-box—I can't live with it another day!"

Abu Ben Adam—may his tribe increase!—sits in the little dark room back of his Fifth Avenue rug-store marking a bale of shoddy imitation Bokharas "Genuine Antique" and adding several hundred per cent. to their



"Oh, Godfrey!" she sobs. "That horrid, leaky ice-box—I can't live with it another day!"





"But madama, meester!" screeches Abu. "I desire your relative to have thees rug. I shall give you a leetle Christmas present. Take thees genu-wine Bokhara for sixty-nine dollas!"

regular stock price. His cousin, Abdul Hafiz, fresh from the Orient, looks upon this transaction with admiration.

"Surely, O son of a thousand liars," lisps Abdul Hafiz, "these infidel dogs be easy-marks for the chosen of Islam."

"Nay, cousin," speaks Abu Ben Adam. "Ordinarily the unbelieving swine are sharp at bargains like the sword of Damascus. They cherish the penny which they squeeze till the Indian shrieks."

"How now!" cries the incredulous Hafiz. "Can these Yankis be so smart when ye would sell them fourteen-dollar rugs marked up to forty-seven sixty? None but the tribe of Reuben would accept such trash as genuine. What spell of madness has fallen on America?"

"Hush!" says Abu Ben Adam. "Christmas is coming!"

"What sort of festival is this Christmas that it should make the Yankis frantic like the Blue Dervishes who threw their money to the birds?" inquires Hafiz.

"You shall behold the marvel with your own eyes," exclaims Abu. For as he speaks the front door of his shop opens, and Mrs. and Mr. Yule bounce in from a taxicab, their faces heavily lined with the frenzy of buying.

"Let me see," says Mrs. Yule, "Aunt Bessie, Willie, and the two Andersons are attended to—check them off, Arthur. Also we got rid of mother with that silver dish. Now we must finish Anna right away. That rug there—the red one—it looks quite ostentatious and—"

"Genu-wine antik—genu-wine Bokhara—ver' rare," lisps the mendacious Abu, well knowing the rug was spun but yester-week on the looms of New Rochelle.

"You like it?" inquires the check-bearing Mr. Yule of Mrs. Yule.

"Yes—no—what does it matter? Dealer, how much?"

"Seventy-five dollas—ver' chip!" cooes the crafty one.

"Isn't it ugly!" sighs Mrs. Yule.

"Uglee!" chimes Abu the crafty. "Ah, yes! All genu-wine Bokharas are uglee. You see smooth, soft-color Bokhara—pouff!—he is imitation. Who would have such trash in the home of refine? But genu-wine rug—seventy-five dollas so chip!"

"I think we'd better look in at the Sawcraft Furniture Company," says Mrs. Yule, half turning. "Anna might want a folding-bed, after all."

"But madama, meester!" screeches the



determined Abu. "I desire your relative to have thees rug. I tell you what I do. You are refined piple. This is refined rug. You must have it. I shall give you a leetle Christmas present. Take thees genu-wine Bokhara for sixty-nine dollas!"

They pause. In another instant a check is drafted and the rug consigned to its future abode. As the Yules withdraw, Hafiz comes forth from hiding.

"By the sock of the Prophet, my heart is too soft," smiles Abu.

"You sold the rug at a sacrifice, then?" asks Hafiz.

"Enormous! I cut the price six dollars, thus clearing only fifty-six on the transaction."

"Ah, cousin!" sighs the dreamy Hafiz. "Now I am beginning to realize what the Christmas spirit means!"

## Something for the Kid

By Ellis Parker Butler

**A**FTER all, Christmas is for the children, dear little things! Half the joy of the day is in seeing them dancing around the Christmas tree, clapping their hands at the pretty lights, and bursting into squeals of joy as they discover their little presents. How easily they are satisfied, the little darlings of to-day! There has been a great improvement in children since you and I were boys and girls.

I remember how difficult I was to please, when I was a boy. I remember how I threw myself flat on the floor and howled with rage because I had set my heart on a gingerbread cat with pink fur of frosting, and when I dug the cat out of my stocking it had blue sugar-sand fur. In vain did my parents try to convince me that blue sugar-sand was far superior to pink frosting, as applied to cats. I knew better. My howls spoiled the day for the whole family. I must have been a little wretch. There my parents had gone to all the trouble of preparing a first-class gingerbread cat—that looked

like almost any animal in the zoo, and was consequently universally useful—and I rewarded their love by howling like a banshee.

How different it is with the children of to-day. No more crying over gingerbread cats! Little Mortimer, next door to us, had one of those severe disappointments last Christmas, but he did not drop on the floor and howl. Not at all. He walked around the automobile that his father had given him—they had the Christmas tree in the side yard, because an automobile is too large to take into the house—and kicked the tires to see if they were properly inflated. He examined the upholstery of the car, took

a brief look at the magneto, the lamps, all the trimmings. All he said was, "Pretty punk!" No howling. No fit of rage. He merely walked around the car, with one hand in his pocket, and repeated in a low, disgusted tone: "Pretty punk! Pretty punk! Pretty punk!" Then he opened the hood and looked at the engine. A shade of deep annoyance passed across his face.

"Doesn't little Morty like the



In vain did my parents try to convince me that blue sugar-sand was superior to pink frosting, as applied to gingerbread cats. I knew better



pretty automobile Santa Claus has brought him?" his mother asked anxiously.

"Well, all I've got to say," said Mortimer, "is that if I have to drive a four-cylinder machine when everyone is driving a six, the other kids will have the laugh on me." Then he turned to his father. "Dad," he asked, "what did they stick you for this junk?"

His father blushed with shame. Who would not? For a year he and Mortimer's mother had been saving their dollars, vainly hoping that stocks would rise and they could get a high-class French car for Mortimer, but stocks fell instead, and ten hundred dollars was the most they could raise by putting a second mortgage on the house.

"Fourteen hundred and fifty, all complete," said Mortimer's father with a shamed face.

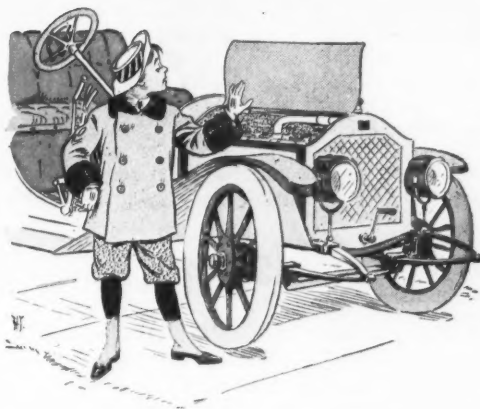
Mortimer smiled grimly. "Stung!" he said.

No howling, you see! No tears!

"My son," said his father, "I know how bitter your disappointment must be, but your mother and I have strained every resource to purchase this little gift. We know it is utterly inadequate to your merits. We—we hoped," he wiped a tear from his eye, "it would do as a makeshift for a while. If all goes well we mean to give you a six-cylinder imported car on your ninth birthday. You see," he said, and his eagerness was almost pathetic, "we only want to make you happy. On your birthday you shall have a six-cylinder car, Mortimer!"

I want you to observe that there were no yells of uncontrolled rage. No spasms of ill temper. Mortimer merely shrugged his shoulders.

"Oh, hot air!" he said. "Nothing but hot air! You ought to buy a balloon to put that in!"



He opened the hood and looked at the engine. A shade of deep annoyance passed across his face. "Dad," he asked, "what did they stick you for this junk?"

His father took the rebuke meekly, as he should.

"Mortimer is such a dear boy," his mother said, when she and Mortimer's father had gone into the house. "Did you see how grateful he was, Edgar? I remember what a rage I was in, when I was his age and I had expected a pair of school shoes from Santa Claus, and he only brought me a hair-ribbon. Mortimer

has such a sweet disposition!"

"He certainly is a dear chap," said his father heartily, and then he sighed. "I wish to thunder I had something I could mortgage. When a boy receives a fourteen-hundred-and-fifty-dollar car in such a spirit, my heart aches to reward him by giving him a 1911 French limousine. But I'm mortgaged to the limit."

"Well, never mind, dear," said his wife consolingly. "If we give him a better car on his birthday, we can make up his disappointment to him next Christmas by giving him a biplane and an aerodome to keep it in."

Nearly all children are that way, nowadays. That is the wonder of it. They expect automobiles, or aeroplanes, or player-pianos, or ermine stoles, or diamond-studded watches; and yet they do not howl if the biplane turns out to be a mere monoplane, or the watch is studded with only fifty diamonds instead of one hundred. A little word or two of disgust—that is all. Perhaps a brief suggestion that father and mother have low taste, a prompt request for permission to exchange the gift for something really decent. But no howling. Oh, the world has advanced!

Your own children have improved it that way, have they? Little rascals, expecting Santa Claus to bring gold chains and rubber-tired pony-carts and all sorts of things that were as distant from your thoughts when you were a child as the moon is now! Posi-



tively, the Christmas rapacity of the little wretches is getting beyond endurance. Four-year-olds wanting gifts beyond anything the Queen of Sheba carried to King Solomon! What is the matter with the modern child, anyway? Whence this sophistication?

Why, my dear mister and madam, it comes from you and me. Don't blame little

Mortimer or little Susie. The children are at heart as sweet and as easily satisfied as you and I were, but we pile gifts on them, and heap gifts on them, and smother good old Santa Claus, with his gingerbread cat, under heaps of silk and gold. Bless your heart, we have made of Christmas a mere occasion for showing off before our little ones, bragging with big gifts.

## A Christmas at College

By George Fitch

ETA BITA PIE HOUSE,  
December 31st, 1909.

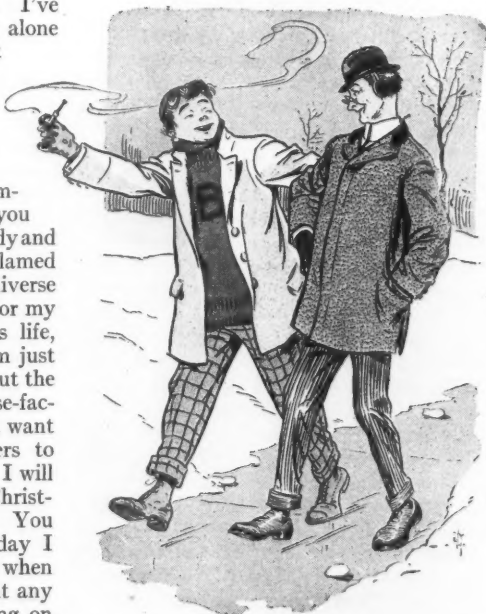
Mr. James Merton,  
Casscopoedia, State of Bliss.

**D**EAR JIMMY:  
Say, you frowzle-headed old pie-destroyer, have you a friendly smoke which you would like to trade for a perfectly good college and a nineteen-room chapter house with eighteen great big empty rooms in it? Because if you have, I'll trade you this school. I've been sitting up with the fool thing alone since last Friday night, and I don't want it any longer. I'm tired of it. It gives me the collywabbles. It's about as cheerful a companion as an Egyptian mummy in a state of bad repair.

Little did I realize, revered roommate, when I refused to go home with you for Christmas, because I wanted to study and be quiet, that I was going to get so blamed much quiet. I didn't expect the universe to go into a comatose condition just for my sake. Here's the old school, big as life, library tower just as high, gymnasium just as fine, new science hall just as foxy, but the whole thing might as well be a cheese-factory. It's a hollow mockery. I don't want all of you happy little flunk-dodgers to imagine you are the whole works, but I will admit that when you went home for Christmas you took the college with you. You didn't even leave the core. Yesterday I took a walk across the campus, and when I saw all that cold white snow without any foot-tracks in it I felt like Peary sitting on the north pole and waiting for a letter from home. Did you ever stick your head in an empty cistern and holler "Boo" when you

were a boy? Well, I got desperate and let loose with the college yell over by the science hall, and it sounded just like that—sounded as if seventy-two million people had been absent from that particular spot for eleven thousand years. I felt as lonesome as a potato-bug on a shingle in the middle of the Atlantic Ocean. R. Crusoe didn't have a thing on me.

Quiet? Say, the catacombs would be a



I always pitied Jason for having to associate with himself, but that night I greeted him like a long-lost rich uncle





riot beside that campus. I didn't really get hep to what I was up against until I woke the morning after all you fellows had gone, and began hunting for a college student. Hunted till evening, and then I ran across Jason, that dried-up old hymn-book punisher, who wants to abolish football. I always pitied him for having to associate with himself, but that night I greeted him like a long-lost rich uncle, and dragged him off to supper with me. He's "sticking it out," too. That's what he calls it. He's done it before.

A freshman from Montana named Tubbs stayed over, and over in Downing Hall there is one lone girl. I called on her Saturday night. Introduced myself, and maybe I didn't have a cozy time. Her name is Walton, and she lives in New Mexico. Maybe you've noticed her—little freshman who wears a long black coat, and her own hair. And say—she can have me. Beats all how we fussers overlook bets once in a while. She told me she was all alone with one hundred and seventy-six alarm-clocks, and that she kept them all wound up and set for one to go off every fifteen minutes so the silence wouldn't deafen her. She said that when she sat down to a meal in the big dining-hall all by herself she felt the way Eve must have felt when Adam was away on a hunting trip, and had missed the last car. I applied for the Adam job for all week. But hang it, some one came and took her home with them on Sunday. Jumping Jemima! but I certainly was the little Hurry Harry when I made my prom date last fall.

Honest, pal, I didn't know a fellow could have so little Christmas to the square inch as I've had. Talk about dark, navy, indigo, ultramarine Prussian-blue days. I just lay around the house all day, smoking and watching the trolley-poles go by, and about seven o'clock in the evening I went

down to the hotel and got a kiln-dried Christmas dinner. There were two traveling men, a vaudeville actor, and a shoe-merchant at the table, and it was just as jolly and cheerful a little party as you could find in any receiving-vault. The traveling men were thinking of home, the actor had lost his job the day before, because people

were too happy to go to the theater, and the shoe-merchant's wife was in California getting well. We all told each other why we had been sentenced to that dinner, and then waded into the culinary catastrophes without another word. When I escaped I took a walk up the cold, cold street, and every home I looked into was stuffed chock-full of Christmas trees and dinners and relatives and fun. And then I got to thinking of what was going on back in Connecticut, and I hope I may be run over by a baby-buggy if I didn't pretty near cry. Some day my aeroplane may break down on the far side of Mars, and leave me stranded two hundred million miles from home and no cars running, but until that time comes I'll bet I'll never feel as magnificently isolated and all gone inside as I did on Christmas night.

The house is doing well, and it doesn't seem to miss you chaps. I sleep in a different bed each night, and amuse myself by mixing up the clothes in the dressers. And I get exercise by kicking myself night and morning because I didn't go home with you. Next Monday morning I'm going down to the depot and begin waiting for the college to come back. It ought to get in on the evening train, and when it gets here, and puts its hats on the backs of its heads, and lugs its suit-cases up the street, and turns on the yell a few times, I'll tell the campus to go hang. It's been fooling me all the time. It isn't the college, it's just the frame.

Yours in considerable desolation,

PETTY.



I went down to the hotel and got a kiln-dried dinner





At the age of two

His latest portrait

At the age of four

Mr. Guelph of England and how he is "making good" in his new job

**T**HE likeness of King George V of England will appear to the number of one million an hour for every working hour of an entire year as soon as the government printers start operations on the new issue of postage-stamps which the king has ordered, plates for which are now being completed. This sets a new record for the reproduction of a face, no other human being ever having had "counterfeit presentments" of his or her physiognomy made at so rapid a rate, nor in such alarming quantities.

Nor is this the only record which the quiet and retiring new monarch of Merrie England has established. He is, if report be true, the only king the British Empire has ever known who ascended the throne entirely free from personal debt. Indeed, in the history of the world's monarchies this is a rare achievement.

The English people are gradually re-adjusting their ideas about their present ruler. When he inherited the crown last April King George V was an unknown quantity. The second son of his father, King Edward VII, he had not seemed

destined for the royal robes until the sudden death of his elder brother, Prince Albert, Duke of Clarence, left him the heir apparent. Prince George had early entered the British navy, and most of his years had been spent in the service. He had risen to the rank of post captain at the time of his brother's death, and had it not been for that event probably would have retired to the life of an English country gentleman, for which he had a decided leaning. After his marriage, in 1893, to Princess Mary of Teck, to whom his brother had been betrothed, he led a retired life as the Duke of York. Even as the Prince of Wales he fought shy of public ceremonials.

The English papers wrote of him as of a figurehead, and he was generally accepted as being of a negative personality. His subjects are beginning to realize that this is a mistake. He has shown himself to be a voluble and outspoken monarch, forcible in his expressions of opinion—a man of very strong ideas, some of which, according to his critics, are narrow and prejudiced. He seems abundantly to have the courage of his convictions, and to court responsibility.



# The Lollipop Deity

A LITTLE FOREIGNER'S SIMPLE MISTAKE  
AND HER STURDY LOYALTY TO HER BELIEF

By Richard Fletcher

Illustrated by John A. Williams

**H**ANNAH was a hopeless outsider. She had never before touched hands with gilded philanthropy, and her tiny, foreign soul was in revolt against the system and the hypocrisies of the Augusta Home.

A snail-like side-wheeler had transported the East Side children to the cottage by the sea. Hannah's eyes had squinted before the wonders of the ocean. In her jargon she had begged the other girls for a word regarding the phenomenon. They tossed their heads arrogantly and whispered in dubious English about the "dumb little dope." So hatred was beating high in the breast of Hannah as she reached the home.

She loathed the essential tooth-brushes, the numbered towels, the baths which dazed

her through their novelty. Cora, a fair-haired baby, was the especial object of her abhorrence. Cora had fallen on a hot stove, but her poise was perfect. When the be-veiled and bestarched ladies arrived in motors to visit the children, Cora was the first to sit on a plutocratic lap and lisp about her misfortune. Hannah believed that her own experiences were more picturesque than the gas-range incident—but she knew so little English. As a matter of fact, she had passed from a whited hospital through a labyrinth of charitable red tape, with regiments of doctors and nurses in attendance. But no one understood her, so she would stand in the distance and wish that she might possess the glib tongue and social manner of Cora.

Then one fine day a man came with the



In Yiddish Hannah told him of his resemblance to the marvelous bartender of Eldridge Street



## The Lollipop Deity

bevy of inane visitors. He was a cousin of the lady with the great pearl earrings. He wore white flannels and suggested to Hannah the bartender in the beautiful saloon at her street-corner in the city. This constituted an atom of connection. Her jet eyes glowed with friendship under their scowling brows, and the man said,

"What is your name?" Hannah nearly died of embarrassment, and Yettie interjected,

"She don't know no English, Mister."

Then "Mister" smiled and said something quite gently, and Hannah approached him in a spirit of reverence. In Yiddish she told him of his resemblance to the marvelous bartender of Eldridge Street. She considered it subtle flattery, but Belle, one of the older girls, laughed immoderately; Yettie hastily explained to Hannah that her comments were inappropriate. "She dinks you're a saloon," smirked Cora in an offensive way, and then climbed with fine authority on "Mister's" knee. Hannah retired to her background. With all her being, she wished that she might learn enough of the foreign tongue to cope with her resourceful companions.

"Mister" came again and asked for Hannah. "Hot," she observed as she clutched his

hand. She had heard the visitors say this. "Mister" tarried until the children had their lunch, and he watched Hannah with twinkling eyes. Her nervousness was intense. She had not yet mastered the maddening technique of the knife and fork—the Gog and Magog of civilization. She struggled with her mass of mutton. With one eye on "Mister" and the other on the meat, she made a sorry mess of things. The gravy acted as a lubricant, and after a futile stab, the mutton slid twelve inches in Yettie's direction. Hannah muttered a curse, and unceremoniously crowded the errant food into her little mouth, while the matron stormed, Cora giggled, and "Mister" beat a retreat.

Ah, the graciousness of the male sex! "Mister" came the next day, bearing lollipops, and Hannah received the first of his toothsome gifts. She waited until the irreproachable Cora had torn off the paper covering. There would be no bald break, as on the day before. Evidently "Mister" had forgotten the wandering mutton. Cora was cooing over her pink dainty. Yettie's tongue was winning mint flavor from her emerald oblong, but oh, the knavery of fate! Hannah's happiness vanished on the first lick. Hers was a clove flavor. She de-



An awesome inquisition began on the porch when Hannah had been led into the virtuous circle



tested clove, and "Mister" was asking her if she liked his present. She, a martyr to social amenities, shook her head with a heroic "Yiss." Bravely and gingerly she struggled with the clove abomination until his back was turned. Then she flung her lollipop under the swing. Cora pounced on the cast-off treasure and serenely demanded explanation. Hannah was silent. She did not trust Cora. However, later in the day, Hannah confessed her loathing for cloves.

The next day the great apostasy scandal rocked the Augusta Home. Cora did not wait to have her hair-ribbon tied. She bolted to the matron and related,

"Hannah don't love no God."

The matron quivered with indignation. Hannah was snatched from her tea and questioned. She clung to her perfidy. She muttered some platitudes in Yiddish about the truth, but none could follow her logic. After a terrible scene, Cora purred,

"You must to love God."

"No," was Hannah's ultimatum.

Never were the doctrines of faith upheld more forcibly. The matron pleaded, stormed, threatened, exhorted. Hannah was obdurate.

Yettie became wildly interested in the work of conversion. "Don't you love God, please, Hannah? He's good."

"No," howled Hannah with conviction.

Hannah's obstinacy met a just punishment. She was sent up-stairs. The other girls palpitated over the disgrace. Never had such a sacrilege been perpetrated.

"Hannah ain't good. That's what!" Cora would aver, whenever the subject seemed on the wane. "Hannah told me last night she didn't love no God. I could to cry for her."

When the visitors arrived that afternoon Cora was chirping jubilantly:

"Hannah don't love no God. She got sent to bed for it."

The visitors were duly shocked.

"She's a naughty youngster," admitted the matron.

"I hate to discipline the children on their vacation, but I couldn't let this pass."

Hannah was standing at the window. She tried to discover why her sin was enormous. What would "Mister" think? For his sake she had clung to her sincere belief as to the wretched cloves. After all, there was nothing to do but cry. So Hannah started softly, but was soon indulging in lusty yells of outraged innocence. "Mister" would not be a stern judge. She be-

lieved in his kindly glances, but he could not understand her. She grieved for her ignorance of English, and this sorrow was expressed in shrieks which brought the matron to the top of the stairs.

There had been a demand to see the little insurgent, and Hannah was yanked down the stairs. An awesome inquisition began on the porch when Hannah had been led into the virtuous circle. The lady who supported the home spoke first, slowly and pleadingly:

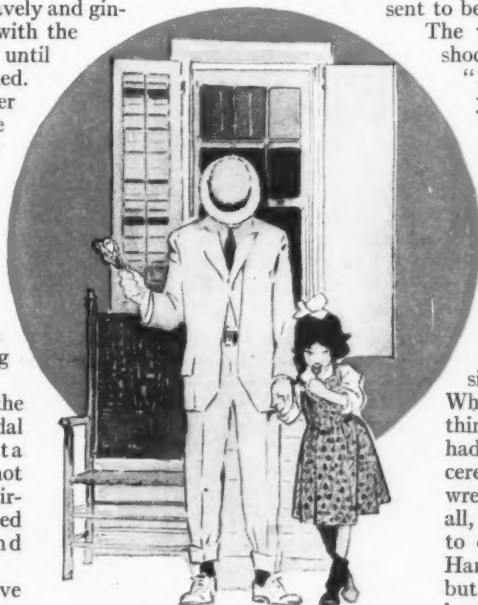
"You must love God, dear. Answer me—do you?"

"No," sobbed Hannah.

Another visitor painted the goodness of the Creator so colorfully that Cora, carried away, broke into an ecstasy of faith.

"I love God so much I could to cry. Oh, my, I couldn't to be so bad like Hannah."

Hannah watched "Mister." Then she was taken between the knees of the lady, and a volley of unintelligible words were followed by, "Say yes, Hannah, say yes."



Her fingers closed over "Mister's" hand, and she said with vast sincerity, "Love God"



Hannah glanced at her knight in expectation of a magnificent rescue.

"Say yes," demanded the lady, as her gloved hand shot up perilously near Hannah's ear.

"Yiss," the child murmured, and she was released from the impending hand.

She darted to "Mister's" side, and her eyes flashed defiantly. "No," she wailed.

"Wait a minute," "Mister" protested. "Does she know what God is? Has she been taught? Here, one of you big girls, find out why she says no. Who speaks Yiddish?"

Yettie, who adored prominence, entered the little circle and said some words to Hannah. But Hannah was not won until "Mister" commanded her to speak. There were whispers and gestures. Hannah's fingers were thrust into her mouth. Then she pointed at Cora. Hannah cried softly. Yettie was startled, puzzled, and excited by turns. The assemblage waited impatiently for the confession. "Mister" smoothed the curls of Hannah.

"What is it, Yettie?" coaxed the lady.

"Hannah says God is a lollipop mit cloyes, like 'Mister' give her yesterday." Yettie was conscious of the dramatic occasion. "Und her lollipop didn't to taste no good, und she ate it for 'Mister' until Cora picked it up, und she couldn't to like a lollipop even for 'Mister.' Und lying ain't no good for anyone."

"What an idea!" gasped one of the visitors.

"Hannah asked Cora last night, 'What is God?'" ventured Yettie, rejoicing in her rôle of chief examiner. "Cora says God is a lollipop—Cora ain't right neither."

So Cora was involved. She tried to bolt, but "Mister" stopped her. She was introduced into the court of theological inquiry. Cora was noncommittal at first. Then she admitted her bad guidance. Her motives were vague. "Mister" subjected her to a rigid third degree.

"You told Hannah this untruth. Why did you?"

"She don't talk no English," was Cora's evasion.

"There's something back of this. You know better," "Mister" persisted.

Cora whimpered. But it is a woman's way to enjoy a confession. It was Cora's cue for tears. She glanced about for a sympathetic shoulder. She sidled to the matron and sobbed. Then she explained.

"Hannah ain't never been to a home before, so you was loving mit her," indicating the man, "und 'Mister' talked to her more'n to me. Und I knew it was proper for to love God, and Hannah didn't eat her lollipop, so I told her God was what she didn't like. I could to cry I am so sorry." Cora looked about her wildly. "I didn't like nobody to be loved but me—I could to cry."

"Jealousy—you see it," discovered one of the visitors. "Astonishing in children so young," said another.

"Mister" was lugging a fresh batch of lollipops from his pocket. He carefully read the flavors on the paper coverings. He gave Hannah a safe and sane vanilla flavor. She peeled off the paper without anticipation. But as soon as her little tongue touched the translucent tan candy, she beamed. Her fingers closed over "Mister's" hand, and she said with vast sincerity, "Love God."

## Threads of Song

By Charles Hanson Towne

God made a wondrous tapestry,  
And called it Life. To you and me

He gave the coarse, dark threads to spin  
The common fabric, out and in

To weave by day and in the night,  
In sorrow and in candlelight.

But in one sunlit, glowing room,  
Untouched of terror or of gloom,

He placed, to do their labor long,  
His glad, imperial Lords of Song.

And they the golden threads are given  
To weave in fancy up to heaven.

Oh, theirs the pure, exalted hours,  
Whose shuttles spin such deathless flowers;

But vain their toil miraculous,  
Without the background made by us!





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### Mademoiselle Lucienne Breval in "Carmen"

The realism of Zuloaga's interpretation of the famous cigarette-maker of Seville is a blending of passion, poetry, and cynicism

## Zuloaga—Art Insurgent

By Charles Henry Meltzer

"I AM the exact opposite of Sorolla," said Ignacio Zuloaga when I saw him, a few weeks ago, in his Montmartre studio. "Sorolla reproduces light and life. He paints a bathing girl, a group of boys, by the seashore. He gives you sunshine, and he shows you what he sees, faithfully, realistically. I do not undervalue him. He has talent. But what

he does I have no wish to do. My art is cerebral. My vision—my conception of the subjects which I paint—is not as other men's."

It had not been easy to persuade the great Spanish painter to discuss himself or to explain his art. He loathes the limelight.

"My works speak for themselves. They should be judged alone. Notoriety is hate-



ful to me. That is why I did not go to New York when my pictures were exhibited there: It is painful to me even to hear myself talked about. It is distasteful to me even to send my pictures out into the world. Some day, when I have earned enough, I may cease to exhibit my works. I shall keep them in my studios."

By this time I was at least beginning to get some insight into the painter. Before me stood a man with absolute faith in his own aims, allied to modesty. But modesty of a strange Spanish kind, not free from pride. He attracted me by his very indifference to what I might think of him. The touch of bluntness in his nature, his ruggedness, his impatience, gave no offense. They were the index to a strong and passionate earnestness, the expression of a burning ideality, the marks of a deep, set, unbending will.

A self-made man, this painter had to fight against domestic obstacles, against poverty, against viperous criticism. He was born at Eibar in the Basque countryside, of artistic parents. For generations, if not for centuries, his people had been workers in gold or silver, fashioners of swords, or adepts in the old, beautiful art of incrusting metals on each other. His father, Placidio Zuloaga, rediscovered the secret of the art of damascening, and, in recognition of that service to the world, was decorated by the French government. But the traditions, the long custom, of their family had made the Zuloagas artistic craftsmen rather than artists; and when, after having visited

the admirable galleries in the Prado, young Ignacio begged his father to let him become a painter, he was denied his request. To Placidio it seemed better that his obstinate son, who had already objected to becoming a chiseler or an architect, should

enter upon an industrial career. For a time he had forced the boy into his workshop. Which may, on the whole, have been good discipline for him.

Eibar, the busy little northern town, with its forges, its rude artisans, its activity, was very different from the hot, sunlit cities of the south of Spain. As different as Milan is from Naples. The nearness of the Pyrenees, the hardships and the shocks of many wars, have steelled the Basques, given them courage and will and character. And Ignacio Zuloaga was a Basque of Basques. Pride, perhaps more than duty, helped him to serve his enforced apprenticeship. And then one day, when he had turned eighteen, his father went so far toward humoring him as to buy him some colors and sanction his trying his hand at art. Not with a view to his becoming a painter by profession, but to convince him, by experience, of his folly.

In the Prado Ignacio had been drawn as by a magnet to the works of Goya, El Greco, and Velasquez. He still swears by them.

Several Goyas and El Grecos adorn his Montmartre studio. There are more of them in the abandoned church at Segovia, which he has made his Spanish headquarters. They are his idols. El Greco, above all, has been his god. Old things, old Spain, old



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### Portrait of Zuloaga by himself

In some respects the most reactionary of living painters, in others he is the most modern, the most personal





### The Lady in Green

Zuloaga's women have in them a strain of cynicism. Even when they smile one is not quite sure of their sincerity, much less their ingenuousness





The Toreador's Bride

Beauty and the bull-ring were never more cunningly pictured than with the brush of this great Basque painter

art, the glorious art of his own land, are his delight. For the moderns, with their conventionalized impressionism and their devotion to reality, he cares nothing.

"When I began painting," said Zuloaga, in answer to a question, "I was a realist and a *plein airist*. Now I dislike *plein-air* paintings. I dislike what is called realism. I care nothing for 'atmosphere.' Art is not the literal transcription of nature. When I want air and light I go into the fields and woods and hills. Atmosphere? I don't want atmosphere in my pictures. I would rather be without it.

"What interest has the most slavishly accurate reproduction of an apple? Photography, which will soon mean color photography, is more accurate, after a fash-

ion, than any painting. That apple may seem so real that I am tempted to bite it. And yet in my eyes it will have no artistic value.

"The eye I see with is the cerebral eye. One must, of course, be trained to observe nature and to reproduce what one observes. One must learn to draw accurately and to put faithfully on canvas the colors that one sees with the external eye. But after that one should be individual."

It is because he is so shamelessly himself that Zuloaga fascinates one. In some respects the most reactionary of living painters, in others he is the most modern, the most personal.

"My theory?" continued Zuloaga. "I have none. I owe nothing to the schools."

And that is true. For Zuloaga taught himself to paint, seeking inspiration in the great Spanish masters at the Prado, but choosing his own field, creating his own technique, inventing his own peculiar style.

"I see things in my own way, which to many of my contemporaries seems strange. By my countrymen I have been savagely attacked, denounced, abused, because I have deliberately preferred to paint the character, the people, of old Spain—the Spain of the Castilians and the Moors—rather than the modern, busy, commonplace progressive Spain which has sprung up of late. I have a very curious inward, cerebral vision. It is the grandeur and the rags, the splendor and the dust, the heroism and the misery, of my native land I see and try to make others see. So I have been insulted—yes, even in my own country—as a slanderer, a renegade. And they have scoffed at me as a literary painter. Well, what does it matter? I seldom read what



is written of me. It disturbs me in my work."

Sensitive natures (and what artist is not sensitive?) are affected by opinion. It may stimulate them to high effort, or it may confuse. More often it confuses. After all, criticism should be addressed not to the artist of whom critics may be writing, but to the public, which needs light and leading, or at least information about art.

"I will show you my pictures," said Zuloaga. "Most of them, unfortunately, are in Buenos Ayres. But I have some here which may interest you."

One by one, he brought out twelve or fifteen of his paintings for me. He showed me a nude study of a graceful and hot-blooded little dancer whom he had painted

at the outset of his career, in Andalusia. It was alarming in its realism, but it was vigorous and sincere. He showed me the extraordinary composition which he calls "Old Castile." In the foreground is his famous dwarf, in the attitude of Sancho Panza, addressing a fantastic semi-modern Don Quixote, clad in a long cloak and a big black sombrero, while, in the background, are a somber, ancient town and a tormented sky. He showed me landscapes, strange, dramatic, powerful; transfigurations of stern mountains, far-away castles, and slumbrous towns. He showed me pictures in which skies of apocalyptic majesty are the backgrounds of enchanted citadels. He showed me truthful and daring studies of *gitanas* and bull-fighters, which were not



#### Comment and Repartee

Zuloaga first met his favorite model in the fields of Seville, and he has recorded the episode, with a peasant setting, in this now famous canvas, "Un Mot Piquant"



## Zuloaga—Art Insurgent

imitative, though they may have been inspired by Goya. He showed me portraits for which beggars and actresses, ladies of high degree and painted prostitutes, in turn had posed. And you could look into the souls of those who had sat for him.

The tremendous strength, the originality, the passionate humanity, the imaginative realism (if I may coin the term), of these works of Zuloaga impressed me as no works of any other living painter had before them. They seemed real, yet the quality of each

work was challenging in its romanticism. It was more honestly romantic by long odds than that of Byron, infinitely more so than that of Delacroix. It convinced me of Zuloaga's art relationship to Victor Hugo.

"My nature," said he, "is essentially dramatic. No, I have never attempted to write a play. But I have sometimes dreamed of asking a great composer to collaborate with me on a music-drama, written about the life and death of that dwarf you were just looking at. He was my servant.



*The Sorceresses of San Millán*

Zuloaga's method is the antithesis of Sorolla's. The latter paints laughter and sunshine; the former portrays melancholy and the cruelties of Time





### The Dwarf of Eibar

Zuloaga has painted this hideous figure in a dozen different ways. He delights in the depiction of the dwarf, and invests him with the fascination that inheres in horror

A strange man, very hideous, physically distorted. But his life was wonderful. His death—he died of love."

Zuloaga showed me his "Descent from the Cross," painted partly from an image of the Saviour which he unearthed at Segovia. But chiefly he showed me a great work which perhaps typifies his art most thoroughly. I mean his picture of a bleeding, anguished

Christ stretched on a cross, with a poor, wretched Magdalen—a Spanish street-walker—below, staring out of the canvas, with a hunted gaudy look in her eyes, after sticking a big gaudy rose into the deepest of her Lord's gaping wounds, as a prayer and a peace-offering. It is a work of genius, harrowing in its appeal; and, despite the subject with which it deals, unspeakably beautiful.



Nor was this picture an invention. The modern Magdalens of the town in which Zuloaga discovered that cross do bring their

pitiful dole of tear-stained flowers to the all-suffering Saviour. There are more things in modern Spain than critics dream of.

I have myself seen sights no farther from the French frontier than Fuenterrabia which remind one of the dark ages.

Those who doubt the persistence of the old ways and types in Spain, and who question the sincerity of Zuloaga, have never been in an Iberian cathedral, never sat through a great bull-fight, never wandered in the Castilian mountains. Or, if they have done these things and still doubt, they are blind, deaf, and dull, or of bad faith. Even the landscapes of Zuloaga—those tragic landscapes, with their tormented skies—are not so widely different from the literal facts as some may fancy them.

As for his bull-fighters, *gilanas*, street-walkers, and beggars, they are instinct with life. No one need be told that they are real. Look, for instance, at the portrait of Lucienne Breval, the popular French singer, as Carmen, and note how preposterous it makes the Carmens of our own lyric stage. Look at the picture known as "The Pilgrim" or at the graceful and delicate portrait of an unnamed "Lady in Green," a lady with dark, love-sick eyes and morbid charm in her pale face. What does one see in them all? Character and truth. Those painted eyes have souls behind them. They tell stories, if you will but listen.

No wonder that, even after the commotion caused last year by the exhibition of Sorolla, the pictures of his chief Spanish rival aroused wonder in New York and compelled praise. To compare the two painters would be absurd; as futile as to compare Puccini and Palestrina. We may contrast them, and we may prefer this or that one of the rivals. Or we may love them both.

For my part, I rejoice to say that, though I prefer Zuloaga, I like much in Sorolla. Much. But not all. Many of his huge pictures seem to me merely enlarged illus-



**The Bull-Fighter**

Out of the Pyrenees Zuloaga has come to show us the souls of the men that pit their prowess against the strength of vicious horned beasts





### The Vision of Carmen

The psychology of the Spaniard has been unconsciously laid bare through the artistry of this son of Eibar

trations. They recall Vereshtchagin. They show the surface of the world, in sunlight. Now Zuloaga, I believe, reflects the heart, the life, the soul, of his own land. He is a painter. He is a philosopher. He is a poet. And also, in a sense, he is a dramatist. And this brings back to me the words he spoke as I was leaving him:

"The times are very hard indeed for

artists. We have to fight against the ugliness and the sordid influence of modern things. The Americans have much to do with the growing ugliness of the world. Painters like me, however, suffer more from the hideousness of modernity than writers do. But still we paint. I paint because I must, because I love to paint. And every time I begin work on a new picture I have a new sensation."





POSED EXCLUSIVELY FOR THE  
COSMOPOLITAN BY THE CAMPBELL STUDIO

Miss Smith—Angel Policeman

**O**N New York city's lower West Side is the Jefferson Market Court. It is not different in appearance—this court-room with its long benches, its high iron screen separating the spectators from the judge, the prisoners, and the court officers—from other criminal courts in New York, or in other cities. There is the same solemn bailiff who regularly booms his admonition, "Order in the Court!" There is the same slight young man who nervously records each word uttered by judge, witness, or prisoner—the court stenographer, a human machine. There is the same assiduous attaché in the

spectators' division of the room whose duty it is to warn you to cease whispering and to advise you that you are in the seat reserved for attorneys. And within the railing the same forms that mark court procedure in Key West and Nome are adhered to. The "oath" is administered in the conventional way:

"S'l'm'y swear tes'mony . . . give . . . 'ole truth . . . nothing but truth . . . s'lp y' Gawd?"

The prisoner—the cringing culprit—nods an-unknowing head in the conventional way, and the wheels of justice revolve.

To the casual observer there is nothing to



distinguish this one of New York's numerous criminal courts from the criminal courts of other places, assuming that the casual observer makes his casual observation in the daytime. But should he go there at night, he will promptly ascertain that this court, in its night sessions, is different. For this is the only Woman's Night Court in the world. And when—between the hours of 8 P. M. and 3 A. M.—this Woman's Night Court is in session, Miss Alice C. Smith is there. And her presence alone makes a difference.

You of the South and North and West have read, in your daily papers, many despatches, date-lined New York, telling of this case or that which developed in Jefferson Market Court, and have given little thought to the concluding line that "the prisoner was placed in charge of the probation officer." Miss Alice C. Smith is the probation officer of the Woman's Night Court, and her position is unique. It is only within a few months that she has been exclusively assigned to this particular court, because the separate night court for women has not been long in existence. But for nine years Miss Smith has been a probation officer; during nine years erring girls, fallen women, petty offenders, and even hardened criminals have been her wards, and during that period she has wrought such wonders and formed such friendships as to fairly entitle her to be known as "The Friend of the Fallen."

Picture to yourself a woman of forty years with hair streaked with gray, eyes of soft brown, and the complexion of a débutante—a woman whose very presence breathes kindness, whose voice is a lullaby, and whose smile is a benediction. And then picture this woman sitting through the long hours of the night in Jefferson Market Court, listening to the tearful testimony of the trembling young girl who has been arrested as a street-walker and to the testimony of the hardened habitué of the dark; separating the sheep from the goats and endeavoring to shield the one and lead the other. See a shop-girl of seventeen sob convulsively in the arms of the probation officer as the judge commits her to the keeping of this kindly assistant, and you will begin to understand the importance of the position occupied by Miss Alice Smith.

Every woman arrested in Manhattan or the Bronx, Greater New York's most important boroughs, is arraigned in Jefferson

Market Court; that is, every woman arrested for soliciting, for petty larceny and minor offenses. Many of them are foreign-born—the court interpreter takes their testimony. Some, very few comparatively, are from the country. A vast number are native New York girls, products of the slums—girls who have never known morality.

But on each case Miss Smith passes. To each offender she offers a helping hand. From the foreign girl she endeavors to secure a circumstantial account of her life, of her birthplace, of the causes which combined to draw her into the eddying swirl of New York's under-life. From the shop-girl who has struggled and tripped and gone under, she secures the name of the mother, the father, the brother, the friend who will aid in the restoration. From the country girl she gets the story of the little home back in New Hampshire—the home that the girl left in order to earn a living as a clerk in a store in the big city.

And wherever it is possible, wherever there is a moral shred worth saving, Miss Smith arranges to send that girl back to the home whence she came—to send her back, not as a public charge (which would humiliate her before her relatives and reveal the naked awfulness of the life she has been leading), but as a first-class passenger in a first-class coach. This is done by private subscription, and Miss Smith, an officer of the city of New York, secures the funds to carry on this work of salvation. In fact, for three years, while she was attached to the Yorkville Police Court, before the Woman's Night Court was established, John D. Rockefeller, Jr., paid her the salary to which she was manifestly entitled, but for which the city had failed to make provision.

Miss Smith has, perforce, been compelled to come into contact with some of the worst phases of city life, and out of her experiences she has developed a philosophy that would widen and strengthen and broaden those theoretical up-lifters who prudishly shut their proper eyes to conditions prevailing here and send money and doilies to the "heathen" of the South Seas. Miss Smith doesn't moralize—she acts. Here, for instance, at two o'clock in the morning, an eighteen-year-old girl is brought into the Night Court by Officer Hoolihan. She is placed in the witness-chair, and tells her



story. The officer tells his. Judge Henry Herbert, if he happens to be on the bench, questions the girl kindly. Had she been drinking? She had. Miss Smith is always within hearing distance.

"Do you know this girl?" asks the judge.

"No, your honor, I have never seen her before."

"Committed for examination and then placed on probation for three months," announces the court.

This means that the girl must remain in custody for at least one day in order that the regulations imposed by the Health Department may be complied with. After that she is Miss Smith's ward. Miss Smith may take her to the Washington Square Home for a few days. Or she may take her to any one of a number of other institutions, in and near the greater city, maintained for the care and protection of girls. Always is the girl's crimson secret held inviolate. In the course of a few days she is allowed to return to her home with the understanding that she will report at regular intervals. In many cases Miss Smith calls on her. She talks to the girl, not in sermons, but as a mother would talk to a daughter or a sister to a sister. She becomes the friend of that girl, and that girl, if she retains any of the instincts that were hers in cradle-time, begins to love Miss Smith and to look to her for help and advice. And Miss Alice Smith numbers such as these by the many thousands.

"To what do I attribute the downfall?" says she in response to interrogations. "Well, first, to the congestion in cities like New

York. What chance has a child—boy or girl—raised in a crowded tenement from babyhood, compelled to associate with children of all classes, all grades, all nationalities, all shades of morality—compelled to mingle day and night with the morally oblique? What would have become of you or of me under those conditions? The foreign-born girl, who comes here in her early 'teens, goes astray, ordinarily, through ignorance. In many instances neither she nor her people are of the moral fiber that opposes. There are very few country girls—American country girls—in New York's under-world. Most of the recruits are from the sweat-shops and the factories. How many can be rescued? That is a hard question. I calculate that fifty per cent. of the moral delinquents among the women with whom I have to deal are neither ashamed nor discontented with the lives they lead; that is, until time seams their faces and dissipation ends their attractiveness. The other fifty per cent. are savable. I wish it were possible for me to show you some of the happy homes in this city presided over by pretty, faithful, grateful wives—girls whose secrets are in my keeping."

Miss Smith is a native of Hornell, New York. She spent twelve years in California. She is an accomplished musician, and is prominent among New York's society and club women. But her work as probation officer of the Woman's Night Court takes precedence over all club work and all society affairs. She is proud to be known as "The Friend of the Fallen."



## Christmas Gifts

By Mary White Slater

THAT little girl around the square,  
The one that doesn't brush her hair,  
Has got exactly what I wanted,  
And made me dreadful disappointed.  
The stork just left it Christmas morning  
Without a single bit of warning!  
She says she doesn't care a snap  
About my automobile-cap;  
That my new doll's an old dead thing  
That cannot cry or hear you sing,

And hers is live as live can be,  
With really eyes that really see,  
And hands that hold your finger tight,  
And really toe-nails—ten—all right!  
Soon as her Daddy gets his pay,  
They'll buy a go-cart right away,  
And when the weather's dry and fair  
She's going to push it round the square!  
She says she didn't pray at all,  
And yet she got a real live doll!



# The Common Law

A STORY OF LOVE AND THE STRUGGLE AGAINST TRADITION

By Robert W. Chambers

Author of "The Fighting Chance," "The Younger Set," "The Danger Mark," etc.

Illustrated by Charles Dana Gibson

SYNOPSIS OF PRECEDING CHAPTERS: Valerie West, a young woman of refinement, seeks employment as a model in the studio of Louis Neville, a wealthy and well-known artist, who indifferently tabulates her qualifications until her lifted veil reveals an unusual beauty. She is immediately engaged and told to prepare to pose for some cloudlike, undraped figures. Her brain is a tumult of emotions while she slowly disrobes and forces her leaden feet to carry her into the studio, where she is pronounced practically faultless. Work is begun at once and carried on until a gasp of pain from her warns the artist that she is about to fall, and he rushes to her. Then he learns that she has never posed before, and is all commiseration as he realizes how much it must have hurt her to pose as she did. The incident puts them on a footing of camaraderie at once, for her education and culture are evident, as is his desire to shield her. There is luncheon in the studio, and a long talk in which she discloses that she has had no real girlhood and is starved for a chance to have intellectual friends and make a decent living. She has tried the theater and left it—because she has principles. Thus begins her career, followed by happy days in Neville's studio, in posing for friends of his, in gayeties and innocent sentimentalities shared with more or less gay devotees of art. Neville—Kelly, his friends call him—alone is always serious, but as the days pass a note of tenderness creeps into his talk with her and more than a shade of annoyance when she tells him of associating with other men. He has decided to paint her portrait, but is strangely perturbed and irritable.

### III

HE straightened up to his full stature, surprised, turning his head to meet a very clear, very sweetly disturbed gaze.

"Kelly dear, are you unhappy?"

"Why, no."

"You seem to be a little discontented."

"I hope I am. It's a healthy sign."

"Healthy?"

"Certainly. The satisfied never get anywhere. That Byzantine business has begun to wear on my nerves."

"Thousands and thousands of people have gone to see it and have praised it. You know what the papers have been saying."

Under her light hand she felt the impatient movement of his shoulders, and her hand fell away.

"Don't you care for it, now that it's finished?" she asked, wondering.

"I'm devilish sick of it," he said, so savagely that every nerve in her recoiled with a tiny shock. She remained silent, motionless, awaiting his pleasure. He set his palette, frowning. She had never before seen him like this.

After a while she said quietly, "If you are waiting for me, please tell me what you ex-

pect me to do, because I don't know, Kelly."

"Oh, just stand over there," he said vaguely; "just walk about and stop anywhere when you feel like stopping."

She walked a few steps at hazard, partly turned to look back at him with a movement adorable in its hesitation.

"Don't budge!" he said brusquely.

"Am I to remain like this?"

"Exactly."

He picked up a bit of white chalk, went over to her, knelt down, and traced on the floor the outline of her shoes. Then he went back, and, with his superbly cool assurance, began to draw with his brush upon the untouched canvas.

From where she stood, and as far as she could determine, he seemed, however, to work less rapidly than usual, with a trifle less decision, less precision. Another thing she noticed, the calm had vanished from his face. The vivid animation, the cool self-confidence, the half-indolent relapse into careless certainty—all familiar phases of the man as she had so often seen him painting—were now not perceptible. It seemed to her sometimes as though she were looking at a total stranger.

"Louis?" she said, full of curiosity.

"What?" he demanded ungraciously.

\* This story began in the November issue of the *Cosmopolitan*



"You are not one bit like yourself to-day."

He made no comment. She ventured again, "Do I hold the pose properly?"

"Yes, thanks," he said absently.

"May I talk?"

"I'd rather you didn't, just at present."

"All right," she rejoined cheerfully; but her pretty eyes watched him very earnestly, a little troubled.

When she was tired the pose ended—that had been their rule; but long after her neck and back and thighs and limbs begged for relief, she held the pose, reluctant to interrupt him. When at last she could endure it no longer she moved; but her right leg had lost not only all sense of feeling but all power to support her; and down she came with a surprised and frightened little exclamation, and he sprang to her and swung her to her feet again.

"Valerie! You bad little thing! Don't you know enough to stop when you're tired?"

"I didn't know I was so utterly gone," she said, bewildered. "It's your fault, Kelly. You had such a queer expression—not at all like you—that I tried harder than ever to help you, and fell down for my pains."

"You're an angel," he said contritely, "but a silly one."

"A scared one, Kelly—and a fallen one." She laughed, flexing the muscles of her benumbed leg. "Your expression intimidated me. I didn't recognize you; I could not form any opinion of what was going on inside that very stern and frowning head of yours. If you look like that I'll never dare call you Kelly."

"Did I seem unhuman?"

"N-no. On the contrary very human and ordinary—like the usual ill-tempered artist man, with whom I have learned how to deal. You know," she added teasingly, "that you are calm and godlike usually, and when you suddenly became a mere mortal—"

"I'll tell you what I'll do with you," he said; "I'll pick you up and put you to bed."

"I wish you would, Kelly. I haven't had half enough sleep."

He sat down beside her on the sofa. "Don't talk any more of that godlike business," he growled, "or I'll find the proper punishment."

"Would you punish me, Kelly?"

"I sure would."

"If I displeased you?"

"You bet."

"Really?" She turned partly toward him, half in earnest. "Suppose—suppose—"

but she stopped suddenly, with a light little laugh that lingered pleasantly in the vast, still room. She said: "I begin to think that there are two Kellys—no, one Kelly and *one* Louis. Kelly is familiar to me; I seem to have known him all my life—the happy part of my life. Louis I have just seen for the first time—there at the easel, painting, peering from me to his canvas with Kelly's good-looking eyes all narrow with worry—"

"What on earth are you chattering about, Valerie?"

"You and Kelly. I don't quite know which I like better—the dear, sweet, kind, clever, brilliant, impersonal, godlike Kelly, or this new Louis—so very abrupt in speaking to me."

"Valerie, dear, forgive me. I'm out of sorts somehow. It began—I don't know—waiting for you—wondering if you could be ill—all alone. Then that ass, Sam Ogilvy—oh, it's just oversmoking I guess, or—I don't know what."

She sat regarding him, head tipped unconsciously on one side in an attitude suggesting a mind concocting malice.

"Louis?"

"What?"

"You're very attractive when you're godlike."

"You little wretch!"

"But—you're positively dangerous when you're human."

"Valerie! I'll—"

"The great god Kelly, or the fascinating, fearsome, erring Louis! Which is it to be? I've an idea that the time is come to decide!"

Fairly radiating a charming aura of malice, she sat back, nursing one knee, distractingly pretty and defiant, saying, "I will call you a god if I like!"

"I'll tell you what, Valerie," he said, half in earnest, "I've played grandmother to you long enough, by heck!"

"Oh, Kelly, be lofty and Olympian! Be a god and shame the rest of us!"

"I'll shamefully resemble one of 'em in another moment if you continue tormenting me!"

"Which one, great one?"

"Jupiter, little lady. He was the boss philanderer you know."

"What is a philanderer, my Olympian friend?"

"Oh, one of those Olympian divinities who always began the day by kissing the girls all around."





DRAWN BY CHARLES DANA GIBSON

Fairly radiating a charming aura of malice, she sat back, nursing one knee, distractingly pretty and defiant, saying, "I will call you a god if I like!"

"Before breakfast?"

"Certainly."

"It's—after breakfast, Kelly."

"Luncheon and dinner still impend."

"Besides I'm not a bit lonely to-day. I'm afraid I wouldn't let you, Kel—I mean Louis."

"Why didn't you say Kelly?"

"Kelly is too godlike to kiss."

"Oh! So *that's* the difference! Kelly isn't human; Louis is."

"Kelly, to me," she admitted, "is practically kissless. I haven't thought about Louis in that regard."

"Consider the matter thoroughly."

"Do you wish me to?" She bent her head, smiling. Then, looking up with enchanting audacity: "I really don't know, Mr. Neville. Some day when I'm lonely—and if Louis is at home and Kelly is out—you and I might spend an evening together on a moonlit lake



and see how much of a human being Louis can be."

She laughed, watching him under the dark lashes, charming mouth mocking him in every curve.

"Do you think you're likely to be lonely to-night?" he asked, surprised at the slight acceleration of his pulses.

"No, I don't. Besides, you'd be only the great god Kelly to me this evening. Besides that, I'm going to dinner with Querida, and afterward we're going to see the 'Joy of the Town' at the Folly Theater."

"I didn't know," he said curtly. For a few moments he sat there, looking interestedly at a familiar door-knob. Then, rising, "Do you feel all right for posing?"

"Yes."

"Alors—"

"*Allons, mon dieu!*" she laughed.

Work began. She thought, watching him with sudden and unexpected shyness, that he seemed even more aloof, more preoccupied, more worried, more intent, than before. In this new phase the man she had known as a friend was now entirely gone, vanished! Here stood an utter stranger, very human, very determined, very deeply perplexed, very much in earnest. Everything about this man was unknown to her. There seemed to be nothing about him that particularly appealed to her confidence, either; yet the very uncertainty was interesting her now intensely.

What was she to expect from this brand-new incarnation of Louis Neville? The delightful indifference, fascinating absent-mindedness, and personal neglect of the other phase? Would he be good enough to be less to her, now; man enough to be more than other men? For a moment she had a little shrinking, a miniature panic lest this man turn too much like other men. But she let her eyes rest on him, and knew he would not. Whatever Protean changes might yet be reserved for her to witness, she came to the conclusion that this man was a man apart, different, and would not disappoint her no matter what he turned into.

She thought to herself: "If I want Kelly to lean on, he'll surely appear, godlike, impersonally nice, and kindly as ever; if I want Louis to torment and provoke and flirt with a little—a very little—I'm quite sure he'll come, too. Whatever else is contained in Mr. Neville I don't know; but I

like him separately and compositely, and I'm happy when I'm with him."

With which healthy conclusion she asked if she might rest, and came around to look at the canvas. After she had stood in silence for some time, he asked her, a little nervously, what she thought of it.

"Louis—I don't know."

"Is your opinion unfavorable?"

"N-no. I am like that, am I not?"

"In a shadowy way. It will be like you."

"Am I as interesting?"

"More so," he said.

"Are you going to make me beautiful?"

"Yes, or cut this canvas into shreds."

"Oh-h!" she exclaimed with a soft intake of breath; "would you have the heart to destroy me after you've made me?"

"I don't know what I'd do, Valerie. I never felt just this way about anything. If I can't paint you—a human, breathing you—with all of you there on the canvas—all of you, soul, mind, and body—all of your beauty, your youth, your sadness, happiness—your errors, your nobility—you, Valerie!—then there's no telling what I'll do."

She said nothing. Presently she resumed the pose and he his painting.

It became very still in the sunny studio.

#### IV

In that month of June, for the first time in his deliberately active career, Neville experienced a disinclination to paint. And when he realized that it was disinclination, it appalled him. Something—he didn't understand what—had suddenly left him satiated, and with all the uneasiness and discontent of satiation he forced matters until he could force no further. He had commissions, several and valuable; and let them lie. For the first time in all his life the blank canvas of an unexecuted commission left him untempted, unresponsive, weary. He had, also, his portrait of Valerie to continue. He continued it mentally, at intervals; but for several days, now, he had not laid a brush to it.

"It's funny," he said to Querida, going out on the train to his sister's country home one delicious afternoon, "it's confoundingly odd that I should turn lazy in my old age. Do you think I'm worked out?" He gulped down a sudden throb of fear smilingly.

"Lie fallow," said Querida gently. "No soil is deep enough to yield without rest."



"Yours does," asserted Neville.

"Oh, for me," said Querida, showing his snowy teeth, "I often sicken of my fat sunlight, frying everything to an iridescent omelette." He shrugged, laughed. "I turn lazy for months every year. Try it, my friend. Don't you ever keep *mi-carême*?"

Neville stared out the window at the station platform past which they were gliding, and rose with Querida as the train stopped. His sister's touring-car was waiting; into it stepped Querida, and he followed; and away they sped over the beautiful rolling country, where handsome cattle tried to behave like genuine Troyon's, and silvery sheep attempted to imitate Mauve, and even the trees, separately or in groups, did their best to look like sections of Rousseau, Diaz, and even Corot, but succeeded only in resembling questionable imitations.

"There's to be quite a week-end party?" inquired Querida.

"I don't know. My sister telephoned me to fill in. I fancy the party is for you."

"For *me*!" exclaimed Querida with delightful enthusiasm. "That is most charming of Mrs. Collis."

"They'll all think it charming of you. Lord, what a rage you've become and what a furor you've aroused! And you deserve it," added Neville coolly.

Querida looked at him, calm intelligence in his dark gaze; and understood the honesty of the comment. "That," he said, "if you will permit the vigor of the expression, is damn nice of you, Neville. But you can afford to be generous to other painters."

"Can I?" Neville turned and gazed at Querida, gray eyes clear in their searching inquiry. Then he laughed a little and looked out over the sunny landscape.

Querida's olive cheeks had reddened a trifle.

Neville said: "What is the trouble with my work, anyway? Is it what some of you fellows say?"

Querida did not pretend to misunderstand. "You're a really great painter, Neville. And you know it. Must you have *everything*?"

"Well, I'm going after it."

"Surely, surely. I also. God knows, my work lacks many, many things—"

"But it doesn't lack that one essential which mine lacks. *What* is it?"

Querida laughed. "I can't explain. For me, your Byzantine canvas—there is in it something not intimate—"

"Austere? Is that what you mean?"

"Yes, even in those divine and lovely throngs. There is, perhaps, an aloofness—even a self-denial." He laughed again. "I deny myself nothing—on canvas, I even have the audacity to try to draw as you do!"

Neville sat thinking, watching the landscape speed away on either side in a running riot of green.

"Self-denial—too much of it—separates you from your kind," said Querida. "The solitary fasters are never personally pleasant; hermits are the world's public admiration and private abomination. Oh, the good world dearly loves to rub elbows with a talented sinner and patronize him and sentimentalize over him—one whose miracles don't hurt their eyes enough to blind them to the pleasant discovery that his halo is tarnished in spots and needs polishing, and that there's a patch on the seat of his carefully creased toga."

Neville laughed. Presently he said: "Until recently I've cherished theories. One of 'em was to subordinate everything in life to the enjoyment of a single pleasure—the pleasure of work. I guess experience is putting that theory on the blink."

"Surely. You might as well make an entire meal of one favorite dish. For a day you could stand it, even like it, perhaps. After that—" he shrugged.

"But I'd rather spend my time painting, if I could stand the diet."

"Would you? I don't know what I'd rather do. I like almost everything. It makes me paint better to talk to a pretty woman, for example. To kiss her inspires a masterpiece."

"Does it?" said Neville thoughtfully.

"Of course. A week or two of motoring, riding, dancing, white-flannel idleness—all these I adore. And"—tapping his carefully pinned lilac tie—"inside of me I know that every pleasant experience, every pleasure I offer myself, is going to make me a better painter!"

"Experience?" repeated the other.

"By all means and every means—experience in pleasure, in idleness, in love, in sorrow; but experience, always experience, by hook or by crook, and at any cost. That is the main idea, Neville—*my* main idea—like the luscious agglomeration of juicy green things which that cow is eating; they all go to make good milk. Bah! that's a stupid simile," he added, reddening.



Neville laughed. Presently he pointed across the meadows.

"Is *that* your sister's place?" asked Querida with enthusiasm, interested and disappointed. "What a charming house!"

"That is Ashuelyn, my sister's house. Beyond is El Nañar, Cardemon's place. Here we are."

The small touring-car stopped; the young men descended to a grassy terrace where a few people in white flannels had gathered after breakfast. A slender woman, small of bone and built like an undeveloped girl, came forward, the sun shining on her thick chestnut hair.

"Hello, Lily," said Neville.

"Hello, Louis. Thank you for coming, Mr. Querida—it is exceedingly nice of you to come." She gave him her firm, cool hand, smiled on him with unfeigned approval, turned and presented him to the others—Miss Aulne, Miss Swift, Miss Annan, a Mr. Cameron, and, a moment later, to her husband, Gordon Collis, a good-looking, deeply sunburned young man whose only passion, except his wife and baby, was Ashuelyn, the home of his father. But it was a quiet passion which bored nobody, not even his wife.

When conversation became general, with Querida as the center around which it eddied, Neville, who had seated himself on the gray stone parapet near his sister, said in a low voice,

"Well, how goes it, Lily?"

"All right," she replied with boyish directness, but in the same low tone. "Mother and father have spent a week with us. You saw them in town?"

"Of course. I'll run up to Spindrift House to see them as often as I can this summer. How's the kid?"

"Fine. Do you want to see him?"

"Yes, I'd like to."

His sister caught his hand, jumped up, and led him into the house to the nursery, where a normal and in no wise extraordinary specimen of infancy reposed in a cradle, pink with slumber, one thumb inserted in its mouth.

"Isn't he a wonder," murmured Neville, venturing to release the thumb.

The young mother bent over, examining her offspring in all the eloquent silence of pride unutterable. After a little while she said: "I've got to feed him. Go back to the others, Louis, and say I'll be down after a while."

On the terrace Stephanie Swift came over to him. "Do you want a single at tennis, Louis? The others are hot for bridge, except Gordon Collis, and he is going to dicker with a farmer over some land he wants to buy."

Neville looked at the others. "Do you mean to say that you people are going to sit here all hunched up around a table on a glorious day like this?"

"We are," said Alexander Cameron, calmly breaking the seals of two fresh packs. "You artists have nothing to do for a living except to paint pretty models, and when the week-end comes you're in fine shape to caper and cut up didoes. But we business men are too tired to go galumphing over the greensward when Saturday arrives. It's a wicker chair and a 'high one,' and peaceful and improving cards for ours."

Alice Annan laughed and glanced at Querida. Cameron's idea was her idea of what her brother Harry was doing for a living; but she wasn't sure that Querida would think it either flattering or humorous.

But José Querida laughed, too, saying: "Quite right, Mr. Cameron. It's only bluff with us; we never work. Life is one continual comic opera."

"It's a cinch," murmured Cameron. "Stocks and bonds are exciting, but *your* business puts it all over us. Nobody would have to drive me to business every morning if there was a pretty model in a cozy studio awaiting me."

"Sandy, you're rather horrid," said Miss Aulne, watching him sort out the jokers from the new packs and, with a skilful flip, send them sailing out, across the grass, for somebody to pick up.

Cameron said: "How about this Trilby business, anyway, Miss Annan? You have a brother in it. Is the world of art full of pretty models clad in ballet skirts—when they wear anything? Is it all one mad, joyous mélange of high-brow conversation discreetly peppered with low-brow revelry? Yes? No? Inform an art-lover, please—as they say in the *Times Saturday Review*."

"I don't know," said Miss Annan, laughing. "Harry never has anybody interesting in the studio when he lets me take tea there."

Rose Aulne said: "I saw some photographs of a very beautiful girl in Sam Ogilvy's studio—a model. What is her name, Alice—the one Sam and Harry are always raving over?"



"They call her Valerie, I believe."

"Yes, that's the one— Valerie West, isn't it? Is it, Louis? You know her of course."

Neville nodded coolly.

"Introduce me," urged Cameron, turning to Neville. "Perhaps she'd like to see the Stock Exchange when I'm at my best."

"Is she such a beauty? Do you know her, too, Mr. Querida?" asked Rose Aulne.

Querida laughed. "I do. Miss West is a most engaging, most amiable and cultivated girl, and truly very beautiful."

"Oh! They *are* sometimes educated?" asked Stephanie, surprised.

"Sometimes they are even equipped to enter almost any drawing-room in New York. It doesn't always require the very highest equipment to do that," he added, laughing.

"That sounds like romantic fiction," observed Alice Annan. "You are a poet, Mr. Querida."

"Oh, it's not often a girl like Valerie West

crosses our path. I admit that. Now and then such a comet passes across our sky, or is reported. I never before saw one."

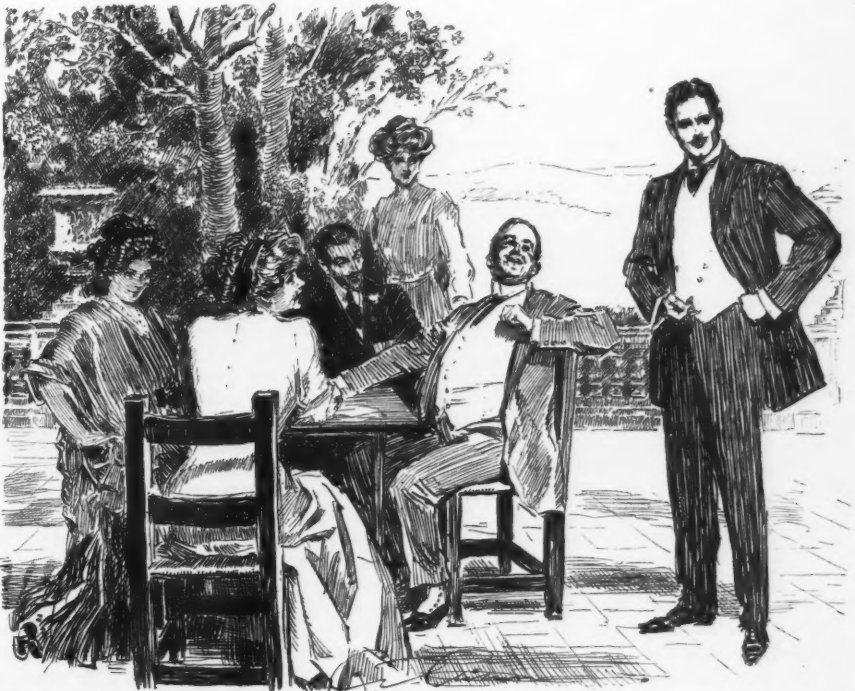
"If she's as much of a winner as all that," said Cameron with decision, "I want to meet her immediately."

"Mere brokers are out of it," said Alice. "Cut, please."

Rose Aulne said, "If you painters only knew it, your stupid studio teas would be far more interesting if you'd have a girl like this Valerie West to pour for you and for us to see."

"Yes," added Alice; "but they're a vain lot. They think we are unsophisticated enough to want to go to their old studios and be perfectly satisfied to look at their precious pictures, and listen to their art patter. I've told Harry that what we want is to see something of the real studio life; and he tries to convince me that it's about as exciting as a lawyer's life when he dictates to his stenographer."

"Is it?" asked Stephanie of Neville.



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"Introduce me," urged Cameron, turning to Neville. "Perhaps she'd like to see the Stock Exchange"



"Just about as exciting. Some few business men may smirk at their stenographers; some few painters may behave in the same way to their models. I fancy it's the exception to the rule in any kind of business—isn't it, Sandy?"

"Certainly," said Cameron hastily. "I never winked at my stenographer—never! never! Will you deal, Mr. Querida?" he asked courteously.

"I should think a girl like that would be interesting to know," said Lily Collis, who had come up behind her brother and Stephanie Swift and stood, a hand on a shoulder of each, listening and looking on at the card-game.

"That is what I wanted to say, too," nodded Stephanie. "I'd like to meet a really nice girl who is courageous enough and romantic enough to pose for artists."

"You mean poor enough, don't you?" said Neville. "They don't do it because it's romantic."

"It must be romantic work."

"It isn't, I assure you. It's drudgery, and sometimes torture."

Stephanie laughed. "I believe it's easy work and a gay existence full of romance. Don't deceive me, Louis. And I think you're selfish not to let us meet your beautiful Valerie at tea."

"Why not?" added his sister. "I'd like to see her myself."

"Oh, Lily, you know perfectly well that oil and water don't mix," he said with a weary shrug.

"I suppose we're the oil," remarked Rose Aulne—"horrid, smooth, insinuating stuff. And his beautiful Valerie is the clear, crystalline, uncontaminated fountain of inspiration."

Lily Collis dropped her hands from Stephanie's and her brother's shoulders. "Do ask us to tea to meet her, Louis," she coaxed. "We've never seen a model."

"Do you want me to exhibit a sensitive girl as a museum freak?" he asked impatiently.

"Don't you suppose we know how to behave toward her? Really, Louis, you—"

"Probably you know how to behave. And I can assure you that she knows perfectly well how to behave toward anybody. But that isn't the question. You want to see her out of curiosity. You wouldn't make a friend of her, or even an acquaintance. And I tell you, frankly, I don't think it's square

to her, and I won't do it. Women are nuisances in studios, anyway."

"What a charming way your brother has of explaining things," laughed Stephanie, passing her arm through Lily's. "Shall we reveal to him that he was seen with his Valerie at the St. Regis a week ago?"

"Why not?" he said coolly, but inwardly exasperated. "She's as ornamental as anybody who dines there."

Stephanie dropped Lily's arm with a light laugh, swung her tennis-bat, tossed a ball into the sunshine, and knocked it over toward the tennis-court. "I'll take you on if you like, Louis!" she called back over her shoulder, then continued her swift, graceful pace, white serge skirts swinging above her ankles, bright hair wind-blown—a lithe, full, wholesome figure, very comforting to look at.

"Come up-stairs; I'll show you where Gordon's shoes are," said his sister.

Gordon's white shoes fitted him, also his white trousers. When he was dressed he came out of the room and joined his sister, who was seated on the stairs, balancing his racquet across her knees.

"Louis," she said, "how about the good taste of taking that model of yours to the St. Regis?"

"It was perfectly good taste," he said carelessly.

"Stephanie took it like an angel," mused his sister.

"Why shouldn't she? If there was anything queer about it, you don't suppose I'd select the St. Regis, do you?"

"Nobody supposed there was anything queer."

"Well, then," he demanded impatiently, "what's the row?"

"There is no row. Stephanie doesn't make what you call rows. Neither does anybody in your immediate family. I was merely questioning the wisdom of your public appearance—under the circumstances."

"What circumstances?"

His sister looked at him calmly. "The circumstances of your understanding with Stephanie, an understanding of years, which, in her mind at least, amounts to a tacit engagement."

"I'm glad you said that," he began, after a moment's steady thinking. "If that is the way that Stephanie and you still regard a college affair—"

"A what!" she exclaimed aghast.



"A boy-and-girl preference which became an undergraduate romance and has never amounted to anything more."

"Louis!"

"What?"

"Don't you *care* for her?"

"Certainly; as much as I ever did, as much as she really and actually cares for me," he answered defiantly. "You know perfectly well what such affairs ever amount to—in the sentimental-ever-after line. Infant sweethearts almost never marry. She has no more idea of it than have I. We are fond of each other; neither of us has happened, so far, to encounter the real thing. But as soon as the right man comes along Stephanie will spread her wings and take flight."

"You don't know her! Well, of all faithless wretches! Your inconstancy makes me positively ill!"

"Inconstancy! I'm not inconstant. I never saw a girl I liked better than Stephanie. I'm not likely to. But that doesn't mean that I want to marry her."

"For shame!"

"Nonsense! Why do you talk about inconstancy? It's a ridiculous word. What is constancy in love? Either an accident or a fortunate state of mind. To promise constancy in love is promising to continue in a state of mind over which your will has no control. It's never an honest promise; it can be only an honest hope. Love comes and goes and no man can stay it, and no man is its prophet. Coming unasked, sometimes undesired, often unwelcome, it goes unbidden, without reason, without logic, as inexorably as it came, governed by laws that no man has ever yet understood."

"Louis!" exclaimed his sister, bewildered: "what in the world are you lecturing about? Why, to hear you expound the anatomy of love—"

He began to laugh, caught her hands, and kissed her. "Little goose, that was all impromptu and horribly trite and commonplace. Only it was new to me because I never before took the trouble to consider it. But it's true, even if it is trite. People love or they don't love, and a regard for ethics controls only what they do about it."

"That's another Tupperesque truism, isn't it, dear?"

"Sure thing. Who am I to mock at the Proverbial One when I've never yet evolved

anything better? Listen; you don't want me to marry Stephanie, do you?"

"Yes, I do."

"No, you don't. You think you do."

"I do, I do, Louis! She's the sweetest, finest, most generous, most suitable—"

"Sure," he said hastily, "she's all that except 'suitable'; and she isn't that, and I'm not, either. For the love of heaven, Lily, let me go on admiring her, even loving her in a perfectly harmless—"

"It *isn't* harmless to caress a girl."

"Why, you can't call it caressing—"

"What do you call it?"

"Nothing. We've always been on an intimate footing. She's perfectly unembarrassed about whatever impulsive—er—fugitive impulses—"

"You *do* kiss her!"

"Seldom, very seldom. At moments the conditions happen accidentally to suggest—some slight demonstration—of a very warm friendship—"

"You positively sicken me! Do you think a nice girl is going to let a man paw her if she doesn't consider him pledged to her?"

"I don't think anything about it. Nice girls have done madder things than their eulogists admit. As a plain matter of fact you can't tell what anybody nice is going to do under theoretical circumstances. And the nicer they are the bigger the gamble, particularly if they're endowed with brains."

"That's cynicism. You seem to be developing several streaks."

"Polite blinking of facts never changes them. Conforming to conventional and accepted theories never yet appealed to intelligence. I'm not going to be dishonest with myself; that's one of the streaks I've developed. You ask me if I love Stephanie enough to marry her, and I say I don't. What's the good of blinking it? I don't love anybody enough to marry her; but I like a number of girls well enough to spoon with them."

"That is disgusting!"

"No, it isn't," he said, with smiling weariness; "it's the unvarnished truth about the average man. Why wink at it? The average man can like a lot of girls enough to spoon and sentimentalize with them. It's the pure accident of circumstance and environment that chooses for him the one he marries. There are myriads of others in the world with whom, under proper circum-



stances and environment, he'd have been just as happy—often happier. Choice is a mystery, constancy a gamble, discontent the one best bet. It isn't pleasant; it isn't nice fiction and delightful romance; it isn't poetry or precept as it is popularly inculcated; it's the brutal truth about the average man. And I'm going to find Stephanie. Have you any objection?"

"Louis, I'm terribly disappointed in you."

"I'm disappointed, too. Until you spoke to me so plainly a few minutes ago I never clearly understood that I couldn't marry Stephanie. When I thought of it at all it seemed a vague and shadowy something, too far away to be really impending, threatening, like death—"

"Oh!" cried his sister in revolt. "I shall make it my business to see that Stephanie understands you thoroughly before this goes any farther."

"I wish to heaven you would," he said, so heartily that his sister, exasperated, turned her back and marched away to the nursery.

When he went out to the tennis-court he found Stephanie idly batting the balls across the net with Cameron, who, being dummy, had strolled down to gibe at her, a pastime both enjoyed.

"Here comes your Alonzo, fair lady, lightly skipping o'er the green—yes, yes—wearing the panties of his brother-in-law!" He fell into an admiring attitude and contemplated Neville with a simper, his ruddy, prematurely bald head cocked on one side. "Oh, girls! *Ain't* he just grand!" he exclaimed. "Honest, Stephanie, your young man has me in the ditch with two blow-outs and the gas afire!"

"Get out of this court," said Neville, hurling a ball at him.

"Isn't he the jealous old thing!" cried Cameron, flouncing away with an affectation of feminine indignation. And presently the tennis-balls began to fly, and the little jets of white dust floated away on the June breeze.

They were very evenly matched; they always had been, never asking odds or offering handicaps in anything. It had always been so: from the beginning—even as children—it had always been give and take and no favor. And so it was now; sets were even; it was a matter of service.

Luncheon interrupted a drawn game; Stephanie, flushed, smiling, came around to his

side of the net to join him on the way to the house. "How do you keep up your game, Louis? Or do I never improve? It's curious, isn't it, that we are always deadlocked?"

Bare armed, bright hair in charming disorder, she swung along beside him with that quick, buoyant step so characteristic of a spirit ever undaunted, saluting the others on the terrace with fluttering handkerchief.

"Nobody won," she said. "Come on, Alice, if you're going to scrub before luncheon. Thank you, Louis; I've had a splendid game." She stretched out a frank hand to him, going, and the tips of her fingers just brushed his.

His sister gave him a tragic look, which he ignored, and a little later luncheon was on and Cameron garrulous, and Querida his own gentle, expressive, fascinating self, devotedly receptive to any woman who was inclined to talk to him or to listen.

That evening Neville said to his sister, "There's a train at midnight; I don't think I'll stay over—"

"Why?"

"I want to be in town early."

"Why?"

"The early light is the best."

"I thought you'd stopped painting for a while."

"I have, practically. There's one thing I keep on with, in a desultory sort of way."

"What is it?"

"Oh, nothing of importance"—he hesitated—"that is, it may be important. I can't be sure, yet."

"Will you tell me what it is?"

"Why, yes. It's a portrait—a study."

"Of whom, dear?"

"Oh, of nobody you know."

"Is it a portrait of Valerie West?"

"Yes," he said carelessly.

There was a silence; in the starlight his shadowy face was not clearly visible to his sister.

"Are you leaving just to continue that portrait?"

"Yes. I'm interested in it."

"Don't go," she said, in a low voice.

"Don't be silly," he returned shortly.

"Dear, I am not silly, but I suspect you are beginning to be. And over a model!"

"Lily, you little idiot," he laughed, exasperated; "what in the world is worrying you?"

"Your taking that girl to the St. Regis. It isn't like you."



"Good Lord! How many girls do you suppose I've taken to various places?"

"Not many," she said, smiling at him. "Your reputation for gallantries is not alarming."

He reddened. "You're perfectly right. That sort of thing never appealed to me."

"Then why does it appeal to you now?"

"It doesn't. Can't you understand that this girl is entirely different?"

"Yes, I understand. And that is what worries me."

"It needn't. It's precisely like taking any girl you know and like."

"Then let me know her, if you mean to decorate public places with her."

They looked at one another steadily.

"Louis," she said, "this pretty Valerie is not your sister's sort, or you wouldn't hesitate."

"I—hesitate—yes, certainly I do. It's absurd on the face of it. She's too fine a nature to be patronized—too inexperienced in the things of your world—too ignorant of petty conventions and formalities—too free and fearless and confident and independent to appeal to the world you live in."

"Isn't that a rather scornful indictment of my world, dear?" she asked quietly.

"No. Your world is all right in its way. You and I were brought up in it. I got out of it. There are other worlds. The one I

now inhabit is more interesting to me. It's purely a matter of personal taste, dear. Valerie West inhabits a world that suits her."

"Has she had any choice in the matter?"

"I—yes. She's had the sense and the courage to keep out of the various unsafe planets where electric light furnishes the principal illumination."

"But has she had a chance for choosing a better planet than the one you say she prefers? Your choice was free. Was hers?"

"Look here, Lily! Why on earth are you so significant about a girl you never saw, scarcely ever heard of?"

"Dear, I have not told you everything. I have heard of her—of her charm, her beauty, her apparent innocence, yes, her audacity, her popularity with men. Such things are not unobserved and unreported between your new planet and mine. Harry Anan is frankly crazy about her, and his sister Alice is scared to death. Mr. Ogilvy, Mr. Burleson,

Clive Gail, dozens of men I know, are quite mad about her. If it was she whom you used as the model for the figures in the Byzantine decorations, she is divine, the loveliest creature to look at! And I don't



DRAWN BY CHARLES DANA GIBSON

"Nobody won," she called to the others on the terrace. "Come on, Alice, if you're going to scrub before luncheon"



care, Louis; I don't care a straw one way or the other except that I know you have never bothered with the more or less innocently irregular gaieties which attract many men of your age and temperament. And so, when I hear that you are frequently seen—"

"Frequently?"

"Is that St. Regis affair the only one?"

"No, of course not. But, as for my being with her frequently—"

"Well?"

He was silent for a moment, then, looking up with a laugh: "I like her immensely. Until this moment I didn't realize how much I do like her—how pleasant it is to be with a girl who is absolutely fearless, clever, witty, intelligent, and unspoiled."

"Are there no girls in your own set who conform to this standard?"

"Plenty. But their very environment and conventional traditions kill them—make them a nuisance."

"Louis!"

"That's more plain truth, which no woman likes. Will you tell me what girl in your world, who approaches the qualitative standard set by Valerie West, would go about by day or evening with any man except her brother? Valerie does. What girl would be fearless enough to ignore the cast-iron fetter of her caste? Valerie West is a law unto herself—a law as sweet and good and excellent and as inflexible as any law made by men to restrain women's liberty, arouse them to unhappy self-consciousness, and infect them with suspicion. Everyone of you are the terrified slaves of custom, and you know it. Most men like it. I don't. I'm no tea-drinker, no cruncher of macaroons, no gabbler at receptions, no top-hatted haunter of weddings, no social graduate of the Ecole Turvydrop. And these places—if I want to find companionship in any girl of your world—I must frequent. And I won't. And so there you are."

His sister came up to him and placed her arms around his neck. "Such—a—wrong-headed—illogical—boy," she sighed, kissing him leisurely to punctuate her words. "If you marry a girl you love you can have all the roaming and unrestrained companionship you want. Did that ever occur to you?"

"At that price," he said, laughing, "I'll do without it."

"Wrong head, handsome head! I'm in despair about you. Why in the world can-

not artists conform to the recognized customs of a perfectly pleasant and respectable world? Don't answer me! You'll make me very unhappy. Now go and talk to Stephanie. The child won't understand your going to-night, but make the best of it to her."

"Good Lord, Lily! I haven't a string tied to me. It doesn't matter to Stephanie what I do—why I go or remain. You're all wrong. Stephanie and I understand each other."

"I'll see that she understands *you*," said his sister sorrowfully.

He laughed and kissed her again impatiently. But why he was impatient he himself did not know. Certainly it was not to find Stephanie, for whom he started to look—and, on the way, glanced at his watch, determined not to miss the train that would bring him into town in time to talk to Valerie West over the telephone.

"Is that you, Stephanie?" he asked, as a dark figure, seated on the veranda, turned a shadowy head toward him.

"Yes. Isn't this starlight magnificent? I've been up to the nursery looking at the infant wonder—just wild to hug him; but he's asleep, and his nurse glared at me. So I thought I'd come and look at something else unattainable—the stars, Louis," she added, laughing—"not you."

"Sure," he said, smiling, "I'm always obtainable. Unlike the infant upon whom you had designs," he added, "I'm neither asleep nor will any nurse glare at you if you care to steal a kiss from me."

"I've no inclination to transfer my instinctively maternal transports to you," she said serenely, "though maternal solicitude might not be amiss concerning you."

"Do you think I need moral supervision?"

"Not by me."

"By whom?"

"Ask me an easier one, Louis. And I didn't say you needed it at all, did I?"

He sat beside her, silent, head lifted, examining the stars. "I'm going back on the midnight," he remarked casually.

"Oh, I'm sorry!" she exclaimed, with her winning frankness.

"I'm—there's something I have to attend to in town."

"Work?"

"It has to do with my work—indirectly."

She glanced sideways at him, and remained for a moment curiously observant.



"How is the work going, anyway?" she asked.

He hesitated. "I've apparently come up slap against a blank wall. It isn't easy to explain how I feel, but I've no confidence in myself."

"You! No confidence? How absurd!"

"It's true," he said a little sullenly.

"You are having a spasm of progressive development," she said calmly. "You take it as a child takes teething—with a squirm and a mental howl instead of a physical yell."

He laughed. "I suppose it's something of that sort. But there's more—a self-distrust amounting to self-disgust at moments. Stephanie, I *want* to do something good."

"You have, dozens of times."

"People say so. The world forgets what is really good." He made a nervous gesture. "Always before us poor twentieth-century men looms the goal guarded by the vast, austere, menacing phantoms of the masters."

"Nobody ever won a race looking behind him," she said gaily; "let 'em menace and loom!"

He laughed in a half-hearted fashion, then his head fell again slowly, and he sat there brooding, silent.

"Louis, why are you always dissatisfied?"

"I always will be, I suppose." His discontented gaze grew more vague.

"Can you never learn to enjoy the moment?"

"It goes too quickly, and there are so many others which promise more, and will never fulfil their promise; I know it. We painters know it when we dare to think clearly. It is better not to think too clearly—better to go on and pretend to expect attainment. Stephanie, sometimes I wish I were in an honest business—selling, buying, and could close up shop and go home to pleasant dreams."

"Can't you?"

"No. It's eternal obsession. A painter's work is never ended. It goes on with some after they are asleep; and then they go crazy," he added, and laughed and laid his hand lightly and unthinkingly over hers where it rested on the arm of her chair. And he remained unaware of her delicate response to the contact.

The stars were clear and liquid-bright, swarming in myriads in the June sky. A big meteor fell, leaving an incandescent arc which faded instantly.

"I wonder what time it is," he said.

"You mustn't miss your train, must you?"

"No." Suddenly it struck him that it would be one o'clock before he could get to the studio and call up Valerie. That would be too late. He couldn't awake her just for the pleasure of talking to her. Besides, he was sure to see her in the morning when she came to him for her portrait. Yet—yet—he wanted to talk to her. There seemed to be no particular reason for this desire.

"I think I'll just step to the telephone a moment." He rose, and her fingers dropped from his hand. "You don't mind, do you?"

"Not at all," she smiled. "The stars are very faithful friends. I'll be well guarded until you come back, Louis."

What she said, for some reason, made him slightly uncomfortable. He was thinking of her words as he called up "long distance" and waited. Presently "Central" called him with a brisk, "Here's your party!" And very far away he heard her voice:

"I know it is *you*. Is it?"

"Who?"

"It is! I recognize your voice. But *which* is it—Kelly or Louis or Mr. Neville?"

"All three," he replied, laughing.

"But which gentleman is in the ascendant? The godlike one? Or the conventional Mr. Neville? Or the bad and very lovable and very human Louis?"

"Stop talking nonsense, Valerie. What are you doing?"

"Conversing with an abrupt gentleman called Louis Neville. I *was* reading."

"All alone in your room?"

"Naturally. Two people *couldn't* get into it unless one of them also got into bed."

"You poor child! What are you reading?"

"Will you promise not to laugh?"

"Yes, I will."

"Then—I was reading the nineteenth psalm."

"It's a beauty, isn't it?" he said.

"Oh, Louis, it is glorious! I don't know what in it appeals most thrillingly to me, the wisdom or the beauty of the verse, but I love it."

"It is fine," he said. "And are you there in your room all alone this beautiful starry night, reading the psalms of old King David?"

"Yes. What are you doing? Where are you?"

"At Ashuelyn, my sister's home."



"Oh! Well, it is perfectly sweet of you to think of me and to call me up."

"I usually—I—well, naturally I think of you. I thought I'd just call you up to say good night. You see, my train doesn't get in until one this morning; and of course I couldn't wake you."

"Yes, you could. I am perfectly willing to have you wake me."

"But that would be the limit!"

"Is *that* your limit, Louis? If it is you will never disturb my peace of mind." He heard her laughing at the other end of the wire, delighted with her own audacity.

He said, "Shall I call you up at one o'clock when I get into town?"

"Try it. I may awake."

"Very well then. I'll make them ring till daylight."

"Oh, they won't have to do that! I always know, about five minutes before you call me, that you are going to."

"You uncanny little thing! You've said that before."

"It's true. I knew before you called me that you would. It's a vague feeling—a—I don't know. And oh, Louis, it is *hot* in this room! Are you cool out there in the country?"

"Yes; and I hate to be when I think of you—"

"I'm glad you are. It's one comfort, anyway. John Burleson called me up and asked me to go to Manhattan Beach, but somehow it didn't appeal to me. I've rather missed you."

"Have you?"

"Really."

"Well, I'll admit I've missed you."

"Really?"

"Sure thing! I wish to Heaven I were in town now. We would go somewhere."

"Oh, I wish so, too."

"Isn't it the limit!"

"It is, Kelly. Can't you be a real god for a moment and come floating into my room in a golden cloud?"

"Shall I try?"

"Please do."

"All right. I'll do my godlike best. And anyway I'll call you up at one. Good night."

"Good night."

He went back to the girl waiting for him in the starlight.

"Well," she said, smiling at his altered expression, "you certainly have recovered your spirits."

He laughed and took her reluctant fingers and kissed them, a boyishly impulsive expression of the gay spirits which might have perplexed him or worried him to account for if he had tried to analyze them. But he didn't; he was merely conscious of a sudden inrush of high spirits, of a warm feeling for all the world—this star-set world, so still and sweet scented.

"Stephanie dear," he said, smiling, "you know perfectly well that I think—always have thought—that there is nobody like you. You know that, don't you?"

She laughed, but her pulses quickened a little.

"Well, then," he went on. "I take it for granted that our understanding is as delightfully thorough as it has always been—a warm, cordial intimacy which leaves us perfectly unembarrassed, perfectly free to express our affection for each other without fear of being misunderstood."

The girl lifted her blue eyes. "Of course."

"That's what I told Lily," he nodded, delighted. "I told her that you and I understood each other, that it was silly of her to suspect anything sentimental in our comradeship, that whenever the real thing put in an appearance and came tagging down the pike after you, you'd sink the gaff into him."

"The what?"

"Rope him and paste your monogram all over him."

"I certainly will," she said, laughing. Eyes and lips and voice were steady; but the tumult in her brain confused her.

"That is exactly what I told Lily," he said. "She seems to think that if two people frankly enjoy each other's society they want to marry each other. All married women are that way. Like clever decoys they take genuine pleasure in bringing the passing string under the guns."

He laughed and kissed her pretty fingers again. "Don't you listen to my sister. Freedom's a good thing; and people are selfish when happy; they don't set up a racket to attract others into their private paradise."

"Oh, Louis, that is really horrid of you. Don't you think Lily is happy?"

"Sure, in a way. You can't have a perfectly good husband and baby, and have the fun of being courted by other aspirants, too. Of course married women are happy; but they give up a lot. And sometimes it





DRAWN BY CHARLES DANA GIBSON

"I am sitting at the telephone talking with an abrupt gentleman called Louis Neville. I *was* reading"

slightly irritates them to remember it when they see the unmarried innocently frisking as they once frisked. And it's their instinct to call out: 'Come in! Matrimony's fine! You don't know what you are missing!'"

Stephanie laughed and lay back in her steamer-chair, her hand abandoned to him. And when her mirth had passed, a slight sense of fatigue left her silent, inert, staring at nothing.

When the time came to say adieu he kissed her as he sometimes did, with a

smiling and impersonal tenderness—not conscious of the source of all this happy, demonstrative, half-impatient animation which seemed to possess him in every fiber.

"Good-by, you dear girl," he said, as the lights of the motor lit up the drive. "I've had a bully time, and I'll see you soon again."

"Come when you can, Louis. There is no man I would rather see."

"And no girl I would rather go to," he said, warmly, scarcely thinking what he was saying.

Their clasped hands relaxed, fell apart.



He went in to take leave of Lily and Gordon and their guests, then emerged hastily and sprang into the car.

Overhead the June stars watched him as he sped through the fragrant darkness. But with him time lagged; even the train crawled as he timed it to the ticking seconds of his opened watch.

In the city a taxi swallowed him and his haste; and it seemed as though he would never get to his studio and to the telephone; but at last he heard her voice—a demure, laughing little voice,

"I didn't think you'd be brute enough to do it!"

"But you said I might call you."

"There are many things that a girl says from which she expects a man to infer, tactfully and mercifully, the contrary."

"Did I wake you, Valerie? I'm terribly sorry."

"If you are sorry I'll retire to my pillow."

"I'll ring you up again!"

"Oh, if you employ threats I think I'd better listen to you. What have you to say to me?"

"What were you doing when I rang you up?"

"I wish I could say that I was asleep. But I can't. And if I tell the truth I've got to flatter you. So I refuse to answer."

"You were not waiting up for—"

"Kelly! I refuse to answer! Anyway you didn't keep your word to me."

"How do you mean?"

"You promised to appear in a golden cloud!"

"Something went wrong with the Olympian machinery," he explained, "and I was obliged to take the train. What are you doing there, anyway?"

"Now?"

"Yes, now."

"Why, I'm sitting at the telephone in my night-dress talking to an exceedingly inquisitive gentleman."

"I mean were you reading more psalms?"

"No. If you must know, I was reading Boccaccio."

He could hear her laughing. "I was meaning to ask you how you'd spent the day," he began. "Haven't you been out at all?"

"Oh, yes. I'm not under vows, you know, Kelly."

"Where?"

"Now I wonder whether I'm expected to

account for every minute when I'm not with you? I'm beginning to believe that it's a sort of monstrous vanity that incites you to such questions. And I'm going to inform you that I did *not* spend the day sitting by the window and thinking about you."

"What *did* you do?"

"I motored in the park. I lunched at Woodmanston with a perfectly good young man. I enjoyed it."

"Who was the man?"

"Sam."

"Oh," said Neville, laughing.

"You make me perfectly furious by laughing," she exclaimed. "I wish I could tell you that I'd been to Niagara Falls with José Querida!"

"I wouldn't believe it, anyway."

"I wouldn't believe it myself, even if I had done it," she said naively. There was a pause; then: "I'm going to retire. Good night."

"Good night, Valerie."

"Louis!"

"What?"

"You say the golden-cloud machinery isn't working?"

"It seems to have slipped a cog."

"Oh! I thought you might have mended it and that, perhaps, I had better not leave my window open."

"That cloud is warranted to float through solid masonry."

"You alarm me, Kelly."

"I'm sorry, but the gods never announce their visits."

"I know it. And I suppose I must sleep in a dinner-gown. When one receives a god it's a full-dress affair, isn't it?"

He laughed, not mistaking her innocent audacity. "Unexpected Olympians must take their chances," he said. "Are you sleepy?"

"Fearfully."

"Then I won't keep you."

"But I hope you won't be rude enough to dismiss me before I have a chance to give you your *congé*!"

"You blessed child. I could stay here all night listening to you."

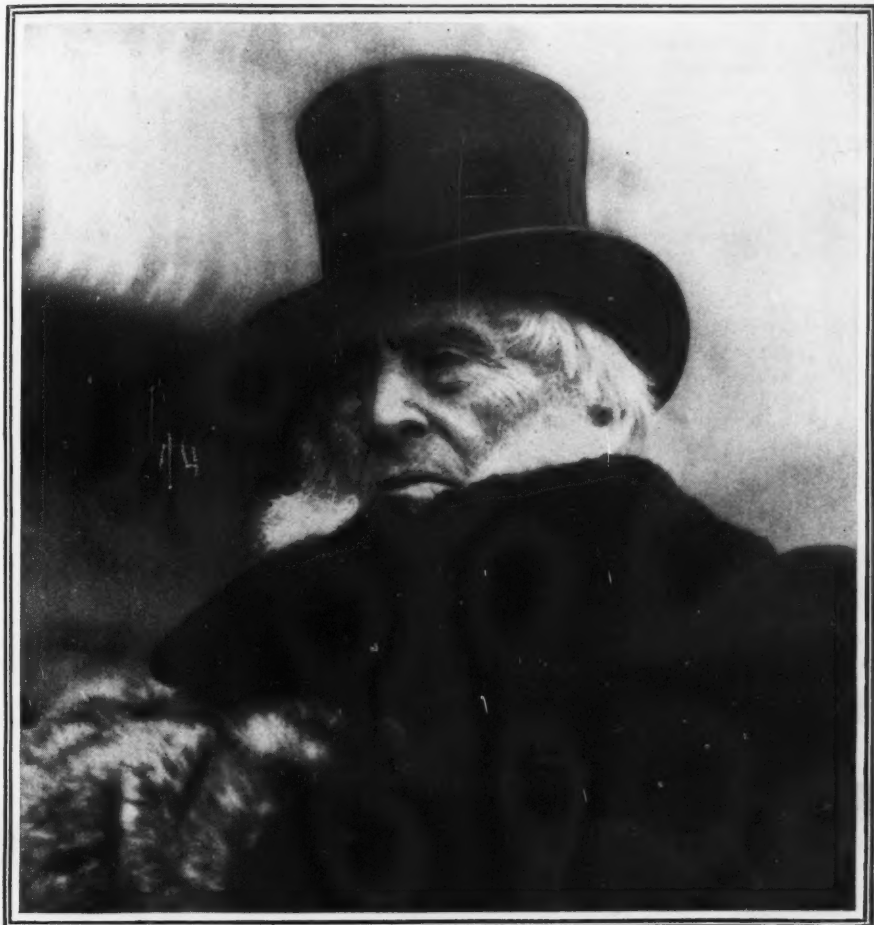
"Could you? That's a temptation."

"To you, Valerie?"

"Yes; a temptation to make a splendid exit. Every girl adores being regretted. So I'll hang up the receiver, I think. Good night, Kelly dear. Good night, Louis."

The next instalment of "*The Common Law*" will appear in the February issue.





A ninety-three-year-old antagonist of the tariff and its political parents

**P**ICTURESQUE American, thinker, author, ex-minister to France, John Bigelow at ninety-three has thrown himself with all the fire and energy of a campaign fighter into the political fray of the moment, and with words that scorch and sear he attacks the tariff, "manifestly the most powerful centrifugal force to which civilized nations have ever been subjected." The truly grand old man of Gotham traces the blame for the high cost of living and kindred evils straight down to our iniquitous tariff laws. Moreover, he proposes a remedy for our national ills, which, while abolishing the tariff upon imports, will provide the country with sufficient money to meet every expense.

Establish a law, says this hardy old thinker, which will make the government a junior partner and small profit-sharer in corporations which operate under a charter granting remunerative privileges.

Of course this ancient champion of the people has brought down upon his silvery head the anathemas of the trusts' high priests, but John Bigelow cares as little for the curses of the Robber Barons and the "System's" cohorts as the elephant cares for the jungle-fly on his good, stout hide. "If righteousness is the great end of nations, what is the great end of governments that impose tariff upon imports?" cries the stanch old warrior. And the answer of his enemies is silence or a sneer.





The Latest Portrait of General Miles

"My feeling was then (1861), as it was in after years, that the responsibility for such suffering as the Rebellion entailed was not with those who were enduring it, but with those who, by conspiracy and selfish ambition, for political and mercenary interests, had brought to pass such a cruel war between Americans"

# My Forty Years of Fighting

*By General Nelson A. Miles, U.S.A.*

**A**FTER the inauguration of Mr. Lincoln, active war measures increased. Arsenals and customs houses were seized, and fortifications were erected to reduce or capture existing forts guarding Southern harbors. A quasi-army was organized under General Beauregard (who had resigned his commission in the United States army), and on April 12th the country was shocked

by the bombardment of Fort Sumter in Charleston harbor.

Those guns may have been intended to solidify and unite the Southern people in favor of secession, but they had the effect of arousing a great Northern power and patriotism. It was awakened in every community and in almost every home. I believe the loyal sentiment in the North and West was more universal than the



desire for secession in the South. The call of President Lincoln for troops was responded to immediately, and whole regiments of state troops repaired to their armories, and many were prepared to march within twenty-four hours. The first important measure was to save Washington.

The Southern forces were advanced as far north as Manassas and Centerville, with advanced outposts at Fairfax and Alexandria. The Confederate flag floating in sight of the White House at Washington was a defiant menace, and the gallant and most promising young Colonel Ellsworth, of Ellsworth's Zouaves, met a tragic death in its capture.

The general-in-chief of all the Union forces was the veteran Winfield Scott.

A hero of the War of 1812, he commanded the principal army in the conquest of Mexico. During his candidacy for the presidency he had been unjustly assailed, but criticism never penetrated the strong armor of his splendid ability and high character. The infirmities of age had rendered him at that time unavailable for field service, but his executive ability and wise counsel were invaluable to the nation, and his firm loyalty inspired confidence and brought tens of thousands of young men to the national standard.

While the loyal elements were exceedingly impatient for an advance, much time was required properly to equip an army. The cry was "On to Richmond!" A well-defined plan was decided upon. It was to advance an army of three corps under General McDowell from Washington against

the army under Beauregard, while General Patterson was to hold or neutralize the force under Johnston in the valley of the Shenandoah; but the delay in moving was taken advantage of by the opposing army, and practically the entire force under Johnston was withdrawn from Patterson's front in time to participate in the battle of Bull Run.

During that engagement a large Union force, practically one corps, was held in reserve in Centerville, and rendered useless thereby, so that only a portion of the Union army was engaged against the entire concentrated force of the enemy. The result was a defeat, which turned into a rout, or what was then termed a "stampede," back to the environments of Washington. Vast quantities of arms and munitions of war fell into the hands of the enemy.

This gave them unbounded confidence and encouragement, while it was most disheartening to the loyal element of the country. It soon, however, strengthened the North in its determination to maintain the government.

The first call for 75,000 men had been responded to chiefly by men in the militia forces of the country, who enlisted for three months. Congress now authorized the raising of an army of 500,000 men for three years. This was responded to almost entirely by volunteers, principally young men who were willing to lay aside all the bright prospects of life and make every sacrifice

for the good of their country.

The occasion seemed opportune for me. Although we were only thirteen years from the close of the Mexican War, the material for organizing, instructing, and disciplining armies was exceedingly limited



Portrait of  
Lieutenant-General  
Winfield Scott, taken  
at the beginning of  
the war, when he was  
in supreme command  
of the U. S.  
army

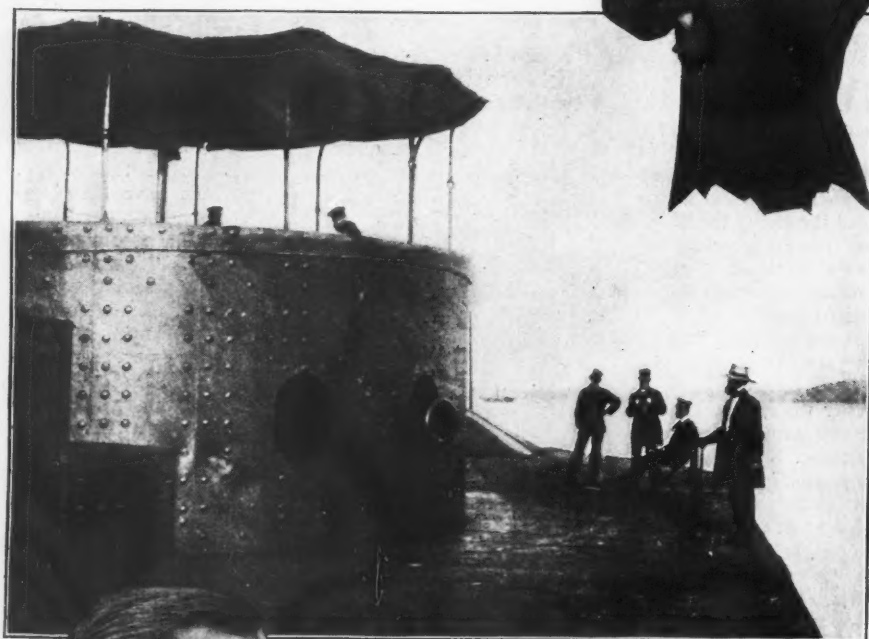


## My Forty Years of Fighting

in our country. Men who had had experience in the war with Mexico were considered best qualified to officer and command the great volunteer army. Next to them for this purpose came the men who had graduated from West Point, and then the officers of our militia forces. The task of selecting officers for the command of fighting men was most difficult. Frequently political influence was used in many of the states. The appointing of offi-

cers was accorded to governors of the states, and of this class many proved failures and soon had to resign.

John Ericsson, who invented the "Monitor," the savior of the American navy



PHOTOGRAPHS FROM THE COLLECTION OF FREDERICK H. MERRILL, ESQ.

The victorious "Monitor," after her epoch-marking battle with the "Merrimac," showing the dents made by the "Merrimac's" great guns. This photograph was made as soon after the battle as the official war photographer could board the "Monitor"



Lieutenant (later Admiral) Worden, commander of the "Monitor" in the famous battle with the "Merrimac"

Recruiting a company was quite a serious undertaking, and in a few cases proved disastrous to those who attempted it; I have known men who expended all they possessed in such an enterprise and then did not receive the commission to which they were entitled.

Public meetings were held in the town of Roxbury, now a part of Boston, the home of that Revolutionary hero Warren, who fell at Bunker Hill, and enthusiasm was excited with the idea of having that place represented by a company, to be



known as the "Warren Guards." It was publicly agreed that a fund should be raised to give to each man who enlisted a sum of money to leave with his family or those dependent upon him. I expended all the money I then possessed, with the addition of \$2500 which I borrowed, in raising this company and meeting the promises that the citizens had made to the enlisted men. The custom was to allow the men to elect their officers, and such election was taken as a recommendation to the governor. I was elected captain of the company and duly appointed by the governor. Political influence was used at the state Capitol to have another man commissioned in my place, however, and so strong was the local ward-political pressure brought to bear upon the governor that he yielded; and on the evening before the regiment was to leave the state he sent his adjutant-general down to the camp with a letter directing me to return

my captain's commission and accept one of first lieutenant, threatening, if I did not do so, to take measures toward having my commission canceled at Washington. As I had enlisted to serve my country and not for a war with the governor of my state, I reluctantly returned the commission upon which I had been sworn into the service of the general government and accepted the commission of first lieutenant of Company E, 22d Massachusetts Infantry.

The regiment was greeted with great enthusiasm whenever it appeared while en route to war, especially when marching down Broadway, New York, and through Philadelphia. When we arrived in Washington we marched in review past Mr.



FROM A HITHERTO UNPUBLISHED DACTYLOTYPE

Daniel Miles,  
only brother of  
General Miles

Lincoln at the White House. The city was filled with thousands of troops, and on every hand were the evidences of war. The President, dignified, serious, yet hopeful, his solemn and care-worn face smiling as he saw the mighty army forming to aid him in saving the nation, greeted all with a cordial welcome, and seemed intensely interested and in earnest in the great enterprise in which we were all engaged. He had selected the most eminent men of his party, many of them his conspicuous rivals, and placed them in his cabinet; yet he towered above them all, physically and intellectually. Fortunate, indeed, was the nation and the cause of humanity that it had such a man at the head, and such were the impressions his presence inspired in us at the time.

Our regiment then marched over Long Bridge, and camped near Falls Church, in Virginia, forming a part of Wadsworth's brigade of FitzJohn Porter's division.

My only brother, Daniel, accompanied me





A corner of Antietam battlefield, showing Confederate dead in the Bloody Lane. In this battle, where more men were killed than on any other day of the war, Lieutenant-Colonel Miles succeeded Colonel Barlow in command of the 61st New York. He at once ordered a charge, and drove the Confederates from the Bloody Lane

FROM THE COLLECTION OF FREDERICK H. SEBERT, JR.

PHOTOGRAPH TAKEN A FEW HOURS AFTER THE BATTLE

from my home to Washington and to where the guard was stationed at the Long Bridge over the Potomac. This was as far as any civilian was allowed to go toward what was then known as the theater of war, Virginia, and there we parted. My brother was twelve years older than myself. He had a wife and four small children, and it was then agreed between us that he should return home and care for his family and our aged parents, and not enter the military service unless there should arise some unforeseen emergency or unless I should fall in the serious campaign in which I was about to engage. Crossing over the Potomac to take an insignificant part in the army then encamped before Washington was an entirely new experience to me, one for which I felt unprepared. Outside of the few men that I knew in the regiment, and whom I had known but a few weeks, I did not know anyone in that great army. All that a young man could hope to do in such an enterprise was to do his best under all circumstances and conditions,

and to do that was my firm determination.

The colonel of the regiment, Senator Wilson, stayed with us but a few weeks. He was entirely inexperienced in military matters, although he had a little knowledge of military affairs from his experience on the military committees of the Senate. He was a large-hearted, brave man, but he was more of a politician and statesman than a soldier.

After remaining in that camp but a few weeks, I received a temporary detail on the staff of the veteran General Casey, then in charge of the assignment of troops to brigades and divisions on their arrival in Washington.

In a short time I received a permanent detail as aide-de-camp on the staff of Brigadier-General O. O. Howard, then commanding a brigade located at Bladensburg, Maryland. Here I remained during the autumn months of 1861. During that time the government was occupied in transforming nearly a hundred thousand young men, civilians, into a well-



FROM THE COLLECTION OF FREDERICK H. SEBERT, JR.

Major-General McClellan, who in the bloody battle of Antietam checked Lee's first invasion of the North

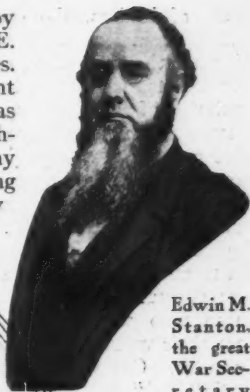


drilled and disciplined army. While there were urgent appeals for an advance of the army at that time, it was explained that it was not prepared to take the field or to fight a battle. Still, the opposing army was on a like footing. It was by no means a veteran organization or an efficient, disciplined body. But the Southern forces were at home, in a country perfectly familiar to them; they had been victorious in one important battle, and were acting on the defensive, which gave them at all times a great advantage.

After the waters of the Chesapeake had been made safe by the decisive victory of the *Monitor* in the battle with the Confederate iron-clad *Merri-mac* in Hampton Roads, the Army of the Potomac, commanded by General McClellan, with Porter, Sumner, Franklin, Heintzelman, and Keyes as corps commanders, was moved by transports down the Potomac and up the James and York rivers. A battle occurred between the enemy and our advanced forces at Williamsburg. The army advanced up the peninsula and in time found itself face to face with the Confederates, strongly entrenched behind field fortifications about seven miles out from Richmond.

We were encamped, awaiting supplies, reconnoitering, and preparing for an assault when, on the 31st of May, the quiet was suddenly broken by a well-planned and well-executed attack upon

our left wing by General Joseph E. Johnston's forces. This engagement was known as Seven Pines. Without creating any alarm or making any preliminary



Edwin M. Stanton, the great War Secretary



FROM THE HENRY COLLECTION

A rare portrait of Abraham Lincoln, taken early in 1861



FROM THE HENRY COLLECTION

Colonel Ellsworth, the first martyr to the Union cause

demonstration of active hostilities, the Confederates suddenly advanced in great force, without skirmishers or advance-guard. They were fired upon by the picket-line in front of Casey's division, but as the Union troops retired, the Confederates, by a rapid advance and charge, reached the Union line nearly as soon as the retreating pickets. It resulted in serious confusion in the Union army, and that

portion was driven back through the forests and fields in disorder. The enemy's advance was made late in the afternoon, and Sumner's and Franklin's corps were ordered to the support of Casey's division and Heintzelman's corps. Sumner's corps, which had been held in reserve, reached the field just at the close of the day, and, by a counter-charge, drove back the enemy and bivouacked on the battlefield that night.

This was my first serious experience in the tragedy of war. It was my duty, as an aide-de-camp, to ride several times over the field, and a more gruesome scene cannot be imagined. In the noise and tumult of battle, blare of trumpets and



shouts of leaders, the excitement of the contest overawed all other considerations. But when the troops had ceased firing, and the muskets and cannon become silent, the proximity of hostile troops suppressed all unnecessary noise; there was only the quiet moving of troops, before they were allowed to rest, into a position where they would be available in case the action was resumed during the night. Yet that field of gloom was not noiseless. The groans of the living and the moans of the dying were constant in every part of the field. Those who were disabled and suffering from their wounds were calling for help or for water. One would frequently hear the words "God" and "Mother" uttered by the lips of those who were suffering and in the presence of death. Frequently, in riding over the field, I was obliged to dismount and grope my way carefully so as to avoid tramping on the bodies that strewed it. My horse seemed to be as sensitive as I was, and frequently stopped when near the body of a dead or dying soldier.

#### THE WAR'S WICKED INCENTIVES

Unionists and Confederates were mingled together upon that dark field of strife. In passing along I frequently asked a man what regiment he belonged to, and the replies were "Massachusetts," "Vermont," "New York," "Pennsylvania," and others; and quite as often the response would be "Mississippi," "Louisiana," "Virginia," or some other Southern state. The suffering of those young Americans alike excited my sympathy, and all the prejudice that I may have had prior to that time vanished as I began to realize how little those young men had had to do in bringing about such a tragedy and causing such suffering. My feeling was then, as it was in after years after many similar scenes, that the responsibility for such suffering was not with those who were enduring it, but with those who, by conspiracy and selfish ambition, for political and mercenary interests, had brought to pass such a cruel war between Americans. Almost every day and hour, then, brought desolation to many homes, and mourning and suffering to every section.

#### THE BATTLE OF FAIR OAKS

Early on the following morning hostilities were resumed. Our brigade was ordered to move to the left into a dense wood

and meet the advance of the enemy moving in that direction. I was sent to observe the situation. I found Colonel Miller of the 81st Pennsylvania, a gallant veteran of the Mexican War, who reported the enemy advancing in his front in a solid body. This I immediately reported to General Howard, and with him returned to the threatened position as rapidly as our horses could take us. Before reaching it the battle opened, and we met the body of Colonel Miller being borne to the rear, and his regiment in retreat. General Howard directed me to rally the regiment and hold the enemy until he could bring the rest of his command into action. I rallied a good part of the regiment and checked the advance of the Confederates in that direction, though I was wounded and my horse crippled by the enemy's fire. The engagement was known as the battle of Fair Oaks. It was fought principally in a densely wooded country, and the lines were but a few yards apart. It was one of the fiercest battles at short range which occurred during the war. General Howard lost his right arm, and many gallant heroes fell. The result was a success for the Union forces, the Confederates being driven from the ground they had gained the day before; the effort to break the siege or to dislodge the Union forces from the commanding position which they occupied had proved a failure.

Then occurred a long delay of several weeks, preparing for what seemed to be an indefinite siege of Richmond. The hostile forces strengthened their position by the slashing of timber, constructing abatis, lines of earthworks, etc.

While this was being done, the Confederate cavalry under Stuart destroyed McClellan's base of supplies at Whitehouse, Virginia, and in doing this rode entirely around the Union army.

#### THE SEVEN DAYS' BATTLES

On the 27th of June the Seven Days' Battles before Richmond began. By the raid of Stuart's cavalry, McClellan's line of communication had been disturbed, and his position had been threatened more seriously by the concentration of a heavy force under General Jackson on the left flank of the Confederate line. The veteran Sumner was like a caged lion or an ideal war-horse,





DRAWN BY W. HERBERT DUNTON FROM A DESCRIPTION FURNISHED BY GENERAL HILES

"During a lull in the engagement" [at Allen's Farm, one of the Seven Days' Battles] "I gathered the pioneers of the different regiments and cut a road through the forest, thereby saving two batteries of artillery"



## My Forty Years of Fighting

clanking his bit; his sole desire was to advance, advance. We knew then, as we know now, that only a weak line confronted the corps commanded by Sumner, Franklin, Keyes, and Heintzelman. Our means of observation were limited. On our line of battle was a very tall pine-tree, without limbs, except at the top. A sailor had been up this tree with a strong strap around it and his body, driving railroad spikes in it as he ascended. It was within range of the enemy's artillery and had been struck with cannon shot. Sumner asked some one to volunteer to go up and observe the situation, and I, being somewhat venturesome, went up. From the top I could see the long line of the enemy's earthworks occupied by a thin line of infantry and artillery; yet they had left a great number of regimental bands that were continually playing "Dixie," the "Bonny Blue Flag," "Southern Rights," etc., to deceive our troops. I could look down upon the church-spires and housetops of Richmond; but, what was more important and serious, I could see large bodies of troops moving down the left bank of the Chickahominy to assail our right wing. These facts I reported to General Sumner. We could hear our guns receding on our right, and as he realized the situation he was impatient to advance. His thoughts were not alone with his desperate surroundings, but far away, as he said with a sigh, "This will be sad and depressing news to President Lincoln at Washington."

After the enemy's vigorous assault had been made and a desperate battle fought, our right wing was overwhelmed, driven back from its position, and seriously disabled, but not entirely demoralized. An effort to reinforce Porter's corps on the left bank of the Chickahominy was made by crossing a portion of the Second Corps over and some of the Sixth, but too late to effect any important results. The opportunity to concentrate and make one determined attack upon Richmond with the three corps practically unoccupied, against the inferior force immediately in front of Richmond, was lost.

The disastrous result to the Fifth Corps under General Porter caused a change of base on the part of General McClellan from the York River to the James. In effecting this change a series of desperate battles was fought. The Confederates were de-

termined not only to raise the siege of Richmond, but, if possible, to destroy the Union army. Battles were fought during the seven days, chiefly at Mechanicsville, Gaines's Mill, Allen's Farm, Savage's Station, White Oak Swamp, Glendale, and Malvern Hill. After the battles of Mechanicsville and Gaines's Mill, the right wing was withdrawn; and as the main body of the army withdrew from its line of works the enemy made a vigorous advance. A halt was made at Allen's Farm or Peach Orchard, and a fight ensued. During a lull in the engagement, in which our brigade was not occupied, I gathered the pioneers of the different regiments and cut a road through the forest, thereby saving two batteries of artillery.

## MALVERN HILL AND AFTER

The severe engagements of White Oak Swamp and Glendale, or Nelson's Farm, resulted in drawn battles; yet the Confederate army was so much encouraged by our change of base and the raising of the siege of Richmond that it pressed steadily on by every possible avenue and road. Under cover of the night the Union forces were withdrawn from the fields. This had a depressing and demoralizing effect upon the troops; yet they were well concentrated at Malvern Hill, a strong natural position on high ground, with broad open fields interspersed occasionally with a few majestic trees; and at that season of the year it was not only an attractive piece of country, but an ideal battlefield.

The Union army took up strong, commanding positions and awaited the advance of the Confederate forces. Their lines were formed under cover of timber, and on the afternoon of July 1st a general advance was made, which soon developed into one of the best open-field battles that I have ever witnessed. The Confederate forces, as they debouched from the cover of the forest, were obliged to cross a wide, open field, and the moment they appeared their lines were subjected to a very heavy artillery fire from our batteries, arranged thickly on the crest of the commanding hills. We could see the wide gaps made by our shells in the regiments as they marched across the field, yet they maintained excellent order and cadence.

Coming up where they met a well-



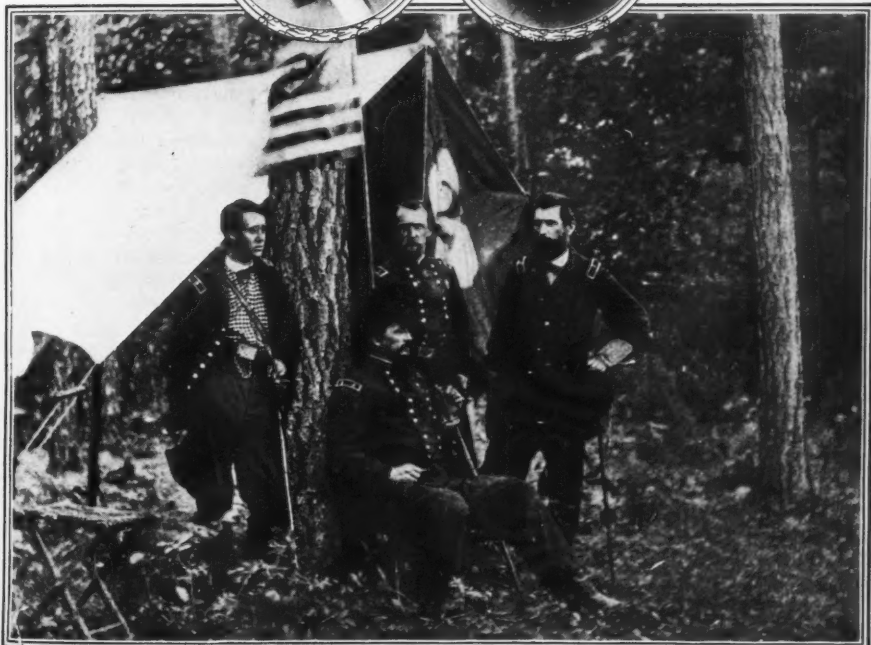
directed, steady infantry fire, they attacked with great enthusiasm and fought with desperation; but finally their lines were broken and thrown back in great disorder. Repeated assaults were made with the same results, and line after line was moved forward only to be hurled back in the same condition. The reckless courage of some men in the supreme hour of battle and in the presence of death was there illustrated by one young Confederate colonel, who had led his regiment across the field in excellent order, though suffering severely from the artillery fire. When they got under the first scattering fire of

FROM THE NERBY COLLECTION



our infantry they seemed to hesitate and slacken their pace, whereupon he dashed out in front of his regiment and, gallantly waving his hat, shouted to his men: "Come on, come on, my men! Do you want to live forever?" in tones that seemed to scorn danger and defy the fate of carnage. In every part of that field the Union army was successful, and the Confederate forces routed and demoralized. A vigorous advance would have resulted in the capture of Richmond, but, instead, before the battle was over and decided, orders were given to retreat.

During that night heavy rains thoroughly drenched



General O. O. Howard (top); Senator Henry Wilson, first colonel of the regiment with which Lieutenant Miles left for the front; General Richardson, killed at Antietam.—Field headquarters of General Hancock (seated). The other officers are Generals Barlow (left), Birney, and Gibbon.



the troops and made the roads almost impassable; so that, on reaching Harrisons Landing the next day, the Union forces were in a very shattered condition. Thousands of men were away from their companies, companies were separated from their regiments, and regiments from their brigades; and in some portions it was simply a moving mass of infantry, cavalry, and artillery, in a mixed and disheartened condition. They were followed from Malvern Hill to Harrisons Landing by only a small force of Confederate cavalry, so serious had been their defeat at Malvern Hill. But the campaign against Richmond had failed.

On July 1st the President issued a call for 300,000 more men. He had been requested to do this by the governors of eighteen states. On July 11th General Halleck was appointed commander-in-chief of the United States army, and a reorganization of the Union forces took place.

The governors of states were anxious to engage, as far as possible, the services of officers who had had experience in the field during the campaigns which had taken place, and the governor of my own state wrote to General E. V. Sumner, a veteran of the war with Mexico and a native of Massachusetts, asking him to send a list of men whom he could fittingly appoint as field-officers of the new regiments. I learned that my name had been sent at the head of the list. The governor chose to ignore that recommendation, and declined to appoint me when asked to do so by men who were familiar with my record.

#### APPOINTED A LIEUTENANT-COLONEL

The result, however, turned out quite as satisfactorily to me. During the late campaign I had acted as adjutant-general of my brigade, and was frequently with the 61st New York Volunteers. Its lieutenant-colonel had been killed at the battle of Fair Oaks, and when the troops were at Harrisons Landing, Colonel Barlow wrote to Governor Morgan, of New York, earnestly recommending me for the position of lieutenant-colonel, basing his recommendation on the necessity of the troops and my record during the war up to that time. It was an unusual request, and rather unusual for a governor to appoint an officer from another state. But Governor Morgan approved the recommendation and sent me the commission of lieutenant-

colonel, which was received with great gratification, it being a most valuable promotion at that period of my life. As soon as it was received, I advised the governor of Massachusetts that I had vacated the position of first lieutenant of Company E, 22d Massachusetts Volunteers, which he had sent me on taking away my commission as captain.

My tastes were entirely with the fighting force of the army. I preferred the command of troops to any staff position. I was, therefore, exceedingly happy to be again in the line and elated with the additional rank and responsibility that this new commission gave me.

#### INVASION OF THE NORTH

In the meantime the scattered and somewhat shattered forces which had been contending against Stonewall Jackson's corps in northern Virginia prior to the campaign near Richmond had been gathered into one body, and Major-General Pope assigned to the command. He issued a somewhat pretentious proclamation, which was regarded as a reflection upon the efforts and achievements of the Army of the Potomac; still, those patriots would have been gratified if anyone could have done more. The result, however, was soon disastrous to the Union forces. The Army of the Potomac remained entrenched at Harrison's Landing, and Lee, after placing his army in position to oppose it and building entrenchments, detached a powerful corps and placed it under Stonewall Jackson for a movement on the national capital or an invasion of Northern territory. So formidable was this advance toward Washington that troops on the James were withdrawn rapidly by corps. The success of the Confederates in the battles about Manassas became a most threatening menace a second time to the capital of the nation.

After disembarking from the transports at Alexandria, we could see the national capital on one side and hear the roar of hostile artillery on the other. The condition was almost chaotic. Startling rumors and false alarms were constant. Our corps was rushed up from Alexandria to defend the bridges over the Potomac, and a few hours later was ordered by forced marches to Centerville. When Lee began his northern invasion our army moved on interior lines between the Confederates and





DRAWN BY W. HERBERT DUTTON UNDER THE PERSONAL DIRECTION OF GENERAL WILDS

"My first order was to advance, and from the Bloody Lane we drove the enemy through the cornfield and orchard and remained there with nothing on our right or left until ordered back to a line occupied by the other troops."



Washington, and crossed the Potomac into Maryland. The army, worn down and discouraged, thousands of its dead left on the battlefields unburied, its ranks thinned by the loss of killed, wounded, and missing, was but the remnant of its former strength; yet, when we moved out upon other fields, especially at that season of the year, when all nature was clothed in its most luxurious garb, the wounded having been sent away to distant hospitals and only the strong that survived being present, the army became resolute, hopeful, and determined. But for the presence of an occasional wounded man and the distant roar of artillery, we could have at times imagined ourselves going to a festival rather than to a tragic drama.

The scene for this great action was soon set. The hostile armies took positions in line of battle on parallel ridges of hills with a valley between them, with batteries in position on the commanding crests, long lines of infantry with reserves and supports, and, in advance of all, long lines of pickets, chiefly in the open field and in plain view of all. They remained thus arrayed practically all day on the 16th of September with an occasional artillery duel.

The time previous to the opening of the battle was employed in reconnoitering and preparing for the engagement. I was detailed to take a troop of cavalry and part of my regiment, with an engineer, to see if I could learn the condition of the bridge over the Antietam River during the night of the 16th. This was a somewhat difficult undertaking, going outside of our lines and groping our way in the darkness to get down to the bridge. I was surprised to find it not occupied by the Confederates, as we had expected. I found the strong stone bridge in good condition and remained there until daylight and then moved forward a few hundred yards on the other side before I discovered the line of Confederate pickets. This condition of affairs I reported at once, and was ordered to return and join my command, then just moving across the Antietam River some two miles above, where the battle was soon to be opened by the advance of the Union right wing toward the Confederate left.

The battle raged desperately for six hours, and at all parts of the field the Union forces were successful. Our brigade moved onto the field in the second line.

After the first brigade had become engaged we were called into action and succeeded in turning the right flank of the corps opposed to us, breaking its line and then wheeling to the right and enfilading what is known as the Bloody Lane.

#### IN COMMAND AT BLOODY LANE

Our regiment charged the enemy occupying that position and succeeded in capturing it with over two hundred prisoners and a stand of colors. After the engagement this sunken road presented one of the most horrible scenes of the war. It was practically filled with dead and wounded, while the ground in front and rear was strewn with bodies of men engaged on both sides. It was here that Colonel Francis C. Barlow, a fearless and accomplished officer, was severely wounded and carried from the field, leaving me in command of the regiment, my first experience as a field-officer under fire. However, my first order was to advance, and from the Bloody Lane we drove the enemy through the cornfield and orchard and remained there with nothing on our right or left until ordered back to a line occupied by the other troops. There was a lull in the firing about twelve o'clock, and during the afternoon a practical cessation of hostilities continued on the right, while the left was only partly engaged. A general advance of the whole force at that time would have resulted in the complete routing, if not the annihilation, of the Confederate army. They had suffered heavy losses, put in their last reserve, and exhausted most of their ammunition, while the Union forces were still in good condition, with an entire corps in reserve.

General Richardson, a veteran of the Mexican War and a most sterling, strong character, a good organizer and persistent fighter, and a man who was regardless of his own appearance or safety, yet ever thoughtful of his command and duties, was mortally wounded and soon died.

The casualties in that battle caused many changes, especially in our own corps. The gallant veteran, General Sumner, who inspired the strongest patriotism and dauntless fortitude of his own command, and was devotedly loved by all, was disabled and had to retire temporarily from the field, and that superb, ideal commander, General Winfield Scott Hancock, was assigned to the command of the corps.

The next instalment of "*My Forty Years of Fighting*" will appear in the February issue.



*The*  
Cosmopolitan's  
Own  
Portfolio  
of  
Stage Portraits



Marguerite Clark, the clever wife in "Baby Mine," the successful farce which Margaret Mayo elaborated from a hospital official's declaration that thousands of husbands innocently fondle babies that are not their own, but infants that have been surreptitiously adopted by their wives

Portraits posed exclusively for the Cosmopolitan  
by the Campbell Studios, New York





Portraits posed exclusively for the Cosmopolitan by the  
Campbell Studios, New York



Two portraits of Edith Taliaferro, who is Rebecca  
in the play made from Kate Douglas Wig-  
gin's "Rebecca of Sunnybrook Farm."  
Scene with Archie Boyd





Margaret Wycherly (large portrait), who is in  
 "The Blue Bird," scene from that play, and  
 Sophie Brandt, who is in the comic  
 opera, "Hans, the Flute Player"



Portraits posed exclusively for the Cosmopolitan by the  
 Campbell Studios, New York









Kitty Mason, in "Our Miss Gibbs,"  
and Frances Ring, in "Get-Rich-  
Quick Wallingford"



Ivy Troutman, in "Baby Mine." Kitty Mason  
and Ivy Troutman

Portraits on this page posed exclusively for the Cosmopolitan by  
the Campbell Studios, New York





Doris Keane, in "Decorating Clementine," the three-act comedy by De Caillavet and De Flers. Miss Keane and G. P. Huntley in a scene from the play

Portrait posed exclusively for the Cosmopolitan by the Campbell Studios, New York

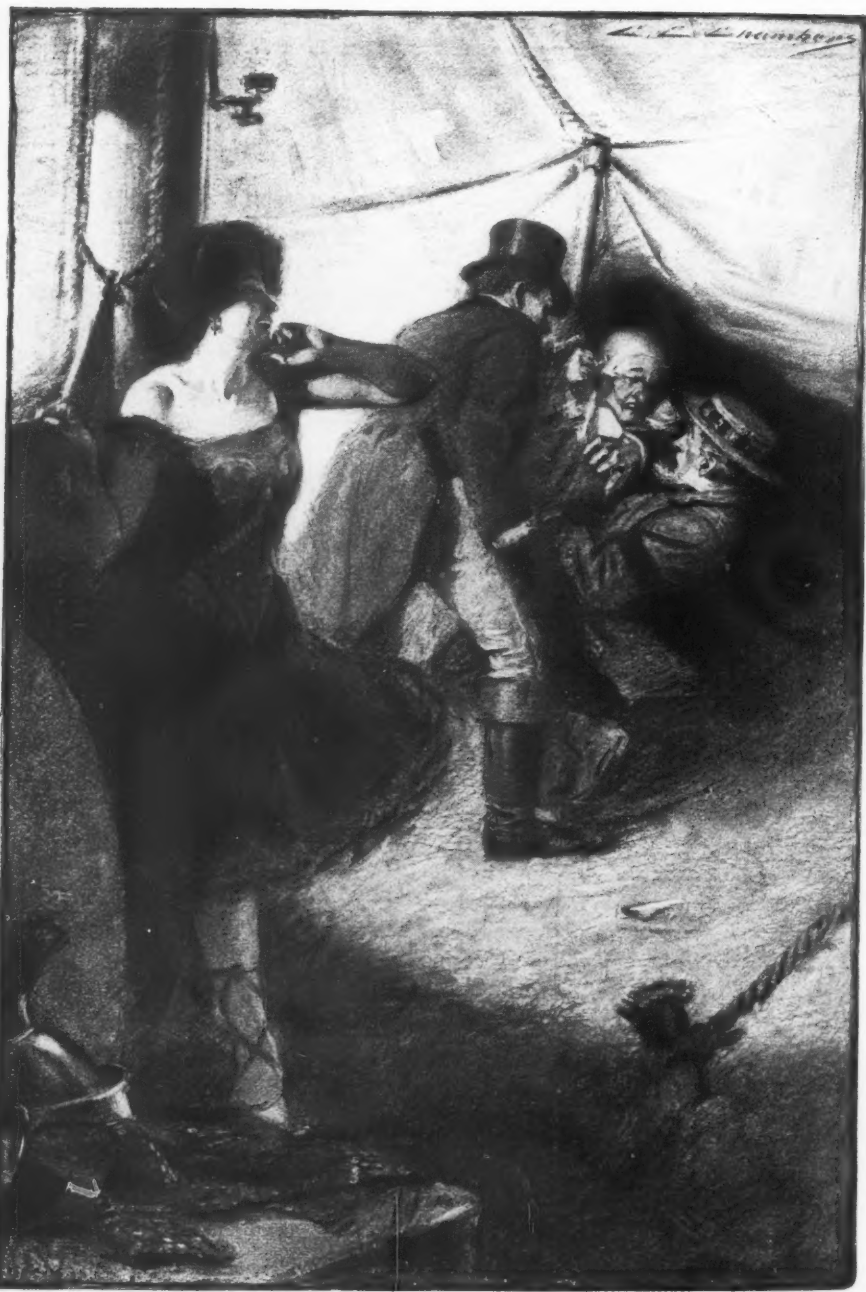




Janet Beecher, one of the younger leading women, whose clever work is a notable feature of Leo Ditrichstein's comedy, "The Concert." Catherine Proctor and Leo Ditrichstein

Portrait posed exclusively for the Cosmopolitan by the Campbell Studios, New York





DRAWN BY C. E. CHAMBERS

It was the clown who grappled with Elias Bogger and landed the first and only blow

(*"The New Adventures of Wallingford"*)



THE NEW ADVENTURES OF

# Get - Rich - Quick Wallingford

WHO SELLS A CIRCUS THAT HE DOESN'T OWN

By George Randolph Chester

*Author of "Get-Rich-Quick Wallingford," "The Cash Intrigue," etc.*

Illustrated by C. E. Chambers

WITH the first blare of the distant music, Blackie Daw leaned eagerly forward in his chair and rested his arms upon the rail of the Booly House porch, looking up and down the main street of Burrville with the sparkling eyes of youth never ending. "Boom-de-ra-a-h-dah! boom-de-ra-a-h-dah!" he sang in unison with the strident trombones, beating time with both feet and one slender hand, while Wallingford, standing against the rail and easing his slightly rheumatic foot with his heavy cane, looked down upon him with an indulgent smile. Across the way the expectant crowd, hitherto in loosely shifting array, surged solidly to the curb, while out of the stores poured excited country folk of all descriptions, and from every window popped four or five heads. The porch of the Booly House filled as if by magic. In the street, red-faced, perspiring fathers and frantic mothers darted after bewildered children, while the balloon- and whistle-venders held, for a brief while, the open spaces to themselves and their discordant voices.

The band blared louder as it turned from Court-House Square toward Main Street. Four assorted policemen—a fat one, a skinny one, a pigeon-breasted one, and a runt—swung around the corner, and in the pompous might of their purple-visaged authority beat back the populace to a pulpy human wall. A horse and buggy, both sleek and shiny, came dashing down Booly Street and turned up Main toward the oncoming parade. The driver was a "sporty" farmer whose nearness to the soil no city clothes could conceal.

"Li Bogger showin' off again," observed the head waitress to no one in particular.

Blackie turned and surveyed the young woman with tolerance, if not with fervid

approval. "Is Li the licensed village cut-up?" he asked.

"He's a plumb fool since his wife died," she replied with profound contempt. "No woman likes a man that's chasin' all the women; and Li is that kind."

"I'm for him," insisted Blackie with keen joy. "He's the life of the party."

Indeed Elias Bogger was a welcome diversion, for now the entire police force of Burrville had stopped his horse, which stood beautifully prancing while a hundred throats yelled derisive directions to the officers and to Bogger. Elias, meanwhile, was having the time of his gay second youth, standing up in his new buggy, calling the four policemen by their first names, exchanging very, very funny jokes with his friends in the audience, and bowing and smiling to the ladies. Full of furious energy, the four policemen tugged in as many different directions, with as absurdly unconcerted action as four ants trying to carry off a grasshopper. The pigeon-breasted one, however, finally proving stronger than the others, pulled the horse around in his own direction, led him down to the corner, and headed him away from Main Street, when, with a parting cheer from the crowd, Mr. Bogger, with a rush and a clatter and a whoop, drove around behind the Booly House to the stables.

An authorized horse-and-buggy driver, who drove standing, entered now upon the scene, stopping every thirty feet or so to advise the pee-pul to hold their horses, to stand back from the elephants, and to follow at once to the circus-grounds, where, immediately after the arrival of the monster parade, a grand free exhibition would be given in front of the mammoth canvasses of the P. T. Barnes Colossal Aggregation of Tented Wonders—and beware of pick-



pockets! He was a tall, commanding man with a voice like the hoarse roar of judgment day, but the pee-pul paid no attention to him. They were waiting for the elephants.

"Boom-de-ra-a-a-h-dah! boom-de-ra-a-a-h-dah!" sang Blackie Daw again, springing to his feet with the ecstasy of a boy. The band had turned the corner in its gaudy red-and-gilt wagon drawn by six plumed horses. "Here come the elephants, Jimmy! They're only size thirteen, but they're real, cross-my-heart, so-help-megeminy elephants; and three of 'em, count 'em, three! And two camels, Jim! How the Lord must have giggled when he made the first camel! Boom-de-ra-a-a-h-dah! boom-de-ra-a-a-h-dah! Gee, how I'd like to be a kid again and see this all for the first time. Hooray! Here come twenty of the P. T. Barnes peg-drivers disguised as princes. Oh, look who's here! The ten-thousand-dollar beauty! Hello, Maggie!"

He blew a kiss to the perspiring "Queen of Sheba" on the dizzy top of her swaying and jolting chariot, and she turned away from him, not in contempt but just tired. He did not even see this gesture, for he was already insulting the moth-eaten lions which followed her, panting with the heat in their dusty cage.

"Tis a great day for Burrville," observed Wallingford, after the passing of the calliope and the local grocery-wagons; "but it will cost the burg three or four thousand dollars, each coin crusted with drops of pink sweat."

"S-s-s-sh!" protested Blackie. "Let me get a couple of drinks before you talk about such fabulous fortunes. Can you remember the size of a hundred-dollar bill, Jim?"

"It's about the dimensions of a tablecloth," declared Wallingford solemnly. "I just counted the roll. We have seven one-dollar bills among us two."

"I have a hunch that we'll never make another cent until we spend that seven dollars," suddenly decided Blackie. "Let's give it to P. T. Barnes. I want to go to the circus. I want to feed peanuts to the elephants. I want to see the hippopotamus chew a stick of gum. I want to watch a good gun-man glom a hick for his poke. I want to be an innocent youth again, and short-change a rube."

"That's what you were doing the first time I met you," mused Wallingford. "You were working the shells at a county fair."

"The good old days of my childhood!" regretted Blackie. "It seems like a million years since I held the rubber pea in the crook of my little finger, while the whiskered boobs bet their good money on which walnut it was under. I may have to do it again. Let's go out to the circus and see who has the trimming privilege."

## II

THE dinner-bell of the Booly House rang as soon as the head waitress was through viewing the parade, and as the hotel was American plan exclusively, and circus day was a big day, it behooved those nearest the dining-room to wedge into the doors as soon as they were opened. In the mad scramble to secure any sort of choice in seats, Wallingford and Blackie found themselves separated at the end of a long table by none other than Elias Bogger. He was a spare man, considerably past middle age, whose leathery face, in its queer pattern of bronze cheeks and white jowls, betrayed that his now natty goatee had but recently been whiskers. His sparse, long top-hair was combed carefully over the spot which had a tendency to become bald, and his neck moved about so uncomfortably in his high collar that it was certain he had not long endured the things. He wore, too, a rusty and dusty and slightly frayed band of crape upon the sleeve of his overly youthful suit, the black circlet contrasting oddly with the gay, ready-made cravat and the bright alertness in the man's blue eyes, the latter roving questioningly to all the women in the room before they took stock of his neighbors.

"Fine day for the circus," he said to Wallingford in a hasty, little high-pitched voice, having satisfied himself that his soul-mate was not in the immediate vicinity.

Wallingford, who was particularly uncomfortable because he loathed American-plan dinners, was about to answer him with a grunt, when Blackie took the burden and pain of such conversation away from him by leaning forward with eager interest, as if the topic of the day's weather were the most important in the world.

"Back in eighty-four, on July seventeenth, to be more exact, we had just such another day for a circus as this; and none since until now," he stated with all the gravity of a deacon confessing his besetting sin at Wednesday night prayer-meeting.





Blackie turned to the waitress and confidently ordered a fancy meal

"You don't say!" exclaimed the stranger, very much impressed by Blackie's accuracy. "You must be an old circus man."

"Circuses," declared Blackie solemnly, "have been in our family for many generations; in fact, they were named after my great-great-great-grandfather, Napoleon B. Circus, who invented this sort of moral and educational amusement."

The stranger carefully smoothed the hair across his balding spot, and surveyed Blackie with due respect. "Is this your circus, maybe?" he wanted to know.

"Not this one," explained Blackie apologetically; "it belongs to my friend, P. T. Barnes," and he waved his hand suavely in the direction of Wallingford. J. Rufus bowed in reluctant acknowledgment, as one bored to be known of strangers. Mr. Bogger inspected him with becoming awe. "I sold mine several years ago," resumed Blackie. "I was glad enough to be rich, but at that I just naturally grew weary of seeing the money pile up; so I retired. Now I follow circuses around just for amusement, first one and then the other."

"Must be a lot of money in a circus," suggested the stranger with a questioning glance at Wallingford, who already had his broad chest expanded, looking as nearly as possible like a man who had his pockets full of thousand-dollar bills. To the eye he was perfectly satisfactory.

"Money!" said Blackie with a widely expressive wave of his hand; and then he lowered his voice to an extremely confiden-

tial tone. "Circuses make so much money," he went on, "that over twenty years ago it was found necessary to form the circus trust, not to make more money, but to keep circuses from taking all the money out of circulation. Now nobody is allowed to start a new circus; there are only twenty-two, large and small, permitted in the United States, and the only way to get one is to buy one."

"They must cost a lot of money," guessed the other man, keenly interested in Blackie's array of thoroughly impromptu facts.

"Well, no," returned Blackie, contemptuously searching his fancy for statements free from monotony; "the price is standardized. Circuses run from twenty-five thousand to five million dollars. This one, for instance, is a fifty-thousand-dollar one, being known in the business as a Class C show, and Mr. Barnes would lay himself open to severe penalties if he asked more for it."

Wallingford, suppressing a grin, looked properly gloomy.

"It's worth a lot more, isn't it?" inquired the goateed one, much concerned.

"At least three times that," growled Wallingford, as one aggrieved.

"Then I shouldn't think it would ever be for sale," shrewdly opined Mr. Bogger.

"It's bound to be," Blackie gently corrected, while Wallingford turned to him in amused wonder. "You see, there's so much money in the business that no man is permitted to own a circus longer than ten years. Even if he hasn't made enough to suit him



by that time, he is compelled to sell out and give some one else a chance."

"You don't say!" exclaimed the other, thoughtfully stroking the whiskers which were not there; and he gazed at Blackie quite earnestly for some moments.

Wallingford hastily choked himself on a drink of water, but Blackie never turned a hair. A waitress appearing at his elbow at that moment, he turned to her and confidently ordered a fancy meal, from cotuit oysters to tutti-frutti ice-cream, as one knowing that it would be instantly forthcoming. The girl gazed down at him with neither a smile nor a trace of resentment.

"I'm in a dickens of a hurry," she calmly stated. "Which will you have: corn beef and cabbage, steak and onions, or plain steak?"

"I'll leave it to you," returned Blackie gracefully; "and bring the same for all three of us."

Still without a smile or a trace of resentment, the girl thanked him, and passed on; but when she brought the dessert, which came with the soup and the steak and onions, she brought Blackie more pudding than anybody else and grinned at him, though Mr. Bogger had made distinct overtures to her and had tried to pat her hand.

There was a little silence following her departure, in which all three men bent themselves to the soup. Having finished this, Mr. Bogger leaned forward with a sigh.

"I'd like to buy a circus," said he to Blackie.

"Can you furnish A one credentials?" demanded Mr. Daw with a trace of severity.

"Everybody around here knows Elias Bogger," returned the other with proper pride. "I've got the money, too; that is, to buy a Class C circus. My wife died last winter, and I sold the farm. Couldn't bear to stay there any more, you know. I wanted to see the world, anyhow. I've been to Chicago, Cincinnati, Pittsburg, Baltimore, Washington, Philadelphia, New York, and Niagara Falls since then, and slick folks made me lose money on a lot of fool schemes; but I've still got the money for a real good investment."

"I see," said Blackie. "What you want is a business that is safe, makes an enormous profit, and lets you have a lot of fun, all at the same time. You're a sly old dog, I can see that."

"Not so very old," quickly protested Mr.

Bogger. "I never pass for within ten years of my age at that."

"I'd never guess you to be nearly as old as you say you are," declared Blackie. "At any age you want the circus business. Aside from the money that's in it, it's fascinating. You see that even I, as rich as I am, can't keep away from it."

"There's a lot of fine-looking women with this show," said Mr. Bogger with a musing smile at Wallingford, whose hastily manufactured leer at the line was more savage than insinuating. At that moment an old neighbor of Mr. Bogger's slammed him upon the back, and leaned over his shoulder to talk to him, very much to Blackie's relief, for he was becoming tired of his own amusement. The interruption, however, was somewhat to Wallingford's annoyance, for, without betraying any unusual interest, he had been listening intently. When he and Blackie were alone in the corner of the porch with their big black cigars, Wallingford turned to his friend with a sigh.

"It gets my Nanny!" he complained. "This boob has at least over fifty thousand dollars in cold cash, and don't know how to use it. We haven't a cent, and have a life-long education in spending money."

"Why don't you take some of it away from him?" inquired Daw. "He ought to be good raw material for you."

"He's too good to be true," stated Wallingford doubtfully. "I can't believe him. No man on earth is as rank a sucker as he seems to be."

"I don't know," returned Blackie. "They grow 'em mighty rank in these swamps. And, Jimmy, you ought to mow him down. It's a duty you owe yourself."

"I have Mr. Bogger on my list," asserted Wallingford; "but I can't believe him yet."

### III

A FAT woman with seven colors in her dinky little hat sat on one side of Wallingford in the rattling old carry-all which took him out to the circus grounds. A seven-year-old brat, sticky from head to foot with molasses candy, sat on the other side of him and pawed his immaculate gray trousers with the freedom of close family intimacy. Upon the seat opposite, touching knees with him, were a bleary-eyed man with a hideously lop-sided face, and a drunken imported laborer, with cheek-bones like



mahogany door-knobs and a forehead so low there was scarcely room for his eyebrows. From this person came a breath so stiff with garlic one could almost rest an elbow upon it; and over and between all of them, shutting out any view of other occupants of the conveyance, except for the sardonic countenance of Blackie in the corner, rolled great, stifling, mealy-tasting, eye-smarting clouds of yellow dust, so that every man hated his neighbor and Wallingford communed viciously with his own soul. It was depressing to reflect that, but a few months since, he almost had been a respectable millionaire, and that now he was reduced to the ranks of a common soldier of fortune. His wife and baby, under the wing of the warm-hearted Violet Bonnie Daw, were in Paris. A thrice-repeated violation of the alcoholic regulations of the Daw household had resulted in the loss of Blackie's latch-key, and the two old "pals" were out in the cold on probation, so far as Violet Bonnie was concerned. They had stood it cheerfully enough through a succession of "flivvers," but the company and the heat and the dust of the carry-all were sufficient to put the usual suave Wallingford in a vicious temper, and he walked upon the circus grounds with a surly frown which could not be unbent by any of the things which delighted Blackie.

Already the country and village folk were overflowing the grounds, though it lacked an hour or more of opening time. "Slum fakers" and "pitch grifters," or sellers of canes, whips, and horns, and workers of small fortune-telling and gambling devices, were making the welkin rasp with their grating voices. Here and there among the half-bewildered yokels moved lithe, nervous young men of undeniable city types and travel-stained clothing, whose furtive eyes and lying smiles betrayed their sinister designs upon unprotected pocketbooks. Even now, the "kid show" was grinding in the early dimes, the morbid being invited to see the freaks by an expert "spieler" upon a gaudy platform.

To this individual, a long, lanky young chap with a big nose and narrow-set eyes and a Rocked-in-the-Cradle-of-the-Deep voice, Blackie sidled during a lull in the "spiel," and looked up at him steadily. The thick-calfed girl upon the platform, with a sleepy snake around her neck, was the first to notice Blackie, and nudged the "ballyhoo" man.

"Frien' o' yours, Ed?" she inquired.

"Texas Ed" looked down at Blackie, and his face immediately lit up with welcome. "Hello, sport," said he, squatting down to shake hands with Blackie. "It's been a coon's age since I seen you trimming the geeks on the pumpkin circuit. What's your grift nowadays?"

"I got a new game. I carry around a wad of wet chewing-gum on the end of a string, and fish coppers out of blind men's cups," explained Blackie, with grave face and appropriate gesture.

"Same old Wisenheimer," declared Ed. "Well, the less noise you make the longer it takes to find you. Say, you ought to be with this outfit. Coarsest grift you ever saw. Everybody's in it, from the manager down," and he laughed appreciatively.

"The manager?" inquired Blackie. "He must be a smooth gee. Anybody that can put it over the big noise of a circus ought to wear medals."

"The governor hasn't been with the show this summer," explained the spieler. "Old P. T.'s been laid up with rheumatic gout, and so Joe Unger has been buying a farm up in Connecticut."

"Joe Unger's the manager then," Blackie guessed.

"He's the trusted party," corroborated Ed.

"What does he look like?"

"Like a tub o' pork," stated Ed, and then he put his hand confidentially to the side of his mouth. "Far be it from me to say such, and me loving my job and all that, but he's a fat old fluff. Hit up that hoochie music, you Black-Handers! The simps are beginning to thicken up again. Right inside, neighbors! The show is just about to commence," and instantly he resumed the sonorous persuasiveness which earned him his good salary.

Blackie turned to where he had left Wallingford, but could not find J. Rufus, and made a round of the various side attractions. He returned to find his friend Ed, during another pause between "grinds," in quizzical converse with Bogger, who, just as Blackie came up, suddenly left the "kid show" platform and hurried across the grounds to where J. Rufus, always interested in mechanics, was inspecting a dynamo carried by the circus. Ed was laughing when Blackie joined him.

"There's the richest mark that ever asked the price of lemons," he declared, indicating



the departing Bogger. "He pointed out that fat party over there, and wanted to know if he was Barnes."

"Of course you wisened him up," laughed Blackie.

"Did I not, I did not!" replied Ed with infinite scorn. "I told him it was Barnes and that he'd had himself dyed a brunette to keep from looking like his own lithographs, so people wouldn't keep trying to buy him out."

Blackie grinned in sheer delight. "How did you come to hand him that gag?" he asked.

"The line of dope he'd been passing out won it for him," replied Ed with a reminiscent smile. "Some of his questions were screams. Why, the geek had an idea that a man was only allowed to own a circus ten years, because there was so much money in it; and he wanted to know how long Barnes had to run yet."

"What did you tell him; nine years or a week?" inquired Blackie, still highly amused.

"Twenty-four hours," chuckled Ed; "and then he hurried right over to the fat party to buy the circus. I hope he sells it to him. If he does, I want my bit."

"Leave that to me," said Blackie, and as soon as Mr. Bogger had walked away from Wallingford, Daw hurried over to J. Rufus.

"I can't believe it yet, Blackie," declared his partner. "Elias Bogger is either the prize boob of the universe or else he has me kidded to a standstill."

"Take it from me, he's the prize lollipop," protested Blackie earnestly. "He looks like a remittance from mother. What's the latest laugh he handed you?"

"He still wants to buy my circus."

"Why don't you sell it to him?" demanded Blackie.

"If he don't keep away from me, I will," stated Wallingford savagely. "I'm about ripe to take a desperate chance. Say, Blackie, you find out where Barnes is, and cook up some scheme to keep him out of the way for an hour. Do that and I'll sell Eli some experience."

"Go as far as you like, and see if Barnes cares," airily responded Blackie. "Old P. T. hasn't been with the show a minute this season, and his manager, a fat burglar by the moniker of Joe Unger, is grafting all the velvet. He's so strong at it he hasn't paid salaries for three weeks."

The change in Wallingford was instan-

taneous. He threw back his shoulders, puffed out his broad chest and smoothed down his vest, and in his eyes there glowed the light of smiling confidence. "Show me this Unger party," he said. "I'm going to put him on the broiler properly. How dare he knock down on the governor? Blackie, go back and grab this Bogger yip and don't lose him. Hold him in the menagerie until I look you up, even if you have to lock him in with the monkeys."

"I don't get you," objected Blackie, much troubled. "I don't see why you don't chase right after this aforesaid mortal error, lead him gently up to a fountain-pen, take a check for fifty thousand out of his nerveless fingers, and hit the rattler for Broadway and a real beefsteak."

"Exactly," agreed Wallingford. "Then I suppose we put on green whiskers and white-wash our hair, and hire the Pinkertons to keep Bogger away from us."

"Yes, I suppose it would be dangerous," admitted Blackie.

"Dangerous?" repeated Wallingford indignantly. "It would be criminal, and I don't make speeches to grand juries. The only thing I don't like about you, Blackie, is that you have some of the instincts of a crook. Follow me, and learn how a man can be honest and still stay out of jail."

He strode straight across to the main entrance, into which a solid stream of moist humanity was already wedging. Wallingford, broad of shoulders and a head taller than the mass, pushed his way impatiently along between the swaying ropes, and was about to push as impatiently past the ticket-taker when that gentleman, a heavy-framed thug, grabbed him roughly by the shoulder.

"Ticket!" he rasped.

"Where's Joe Unger?" demanded Wallingford, with a frown as black as night.

The ticket-taker glanced toward a beefy man who stood just beyond him, his Buffalo Bill sombrero in his hand, mopping his totally bald head with a gray silk handkerchief. The heavy gentleman making no sign, the ticket-taker turned again to Wallingford.

"I said where's your ticket!" he demanded, immediate action lurking just behind his eyeballs.

Six brawny gentleman, three on either side of the ropes, smiled grimly and bent eagerly forward. One of them, with a black patch over his eye, edged up quite closely,



and motioned the one next him, who had a thrice-broken nose, to give him room for his right elbow. It was a ticklish moment, in which Wallingford was conscious that the "bouncer" with three front teeth gone was grinning with hideous anticipation. In this emergency his course was prompt and decisive.

"You're fired!" he roared with a flare of anger, shaking his big forefinger in the ticket-taker's face. "Get off the lot!"

There was a second's pause, in which the six bouncers looked at each other dubiously, and the one with the cauliflower ear turned, with a troubled eye, to the equally troubled beefy man.

"I'm doin' what I'm paid for," growled the ticket-taker sulkily. "I got to have your ticket."

"Didn't I tell you to get off the lot!" Wallingford bellowed, his face actually purpling with the effect of his "bluff." "And if somebody don't hunt up Joe Unger for me within about thirty seconds, I'll fire the whole lot of you. Where is he?"

The bouncer with the split nose pointed out the beefy man, just as that gentleman came forward, his guilt already gripping him.

"I'm Joe Unger," he barked gruffly, though much troubled. "What do you want?"

Wallingford stepped over to join him, letting the stream of gaping countrymen flow on again, but did not answer his question. Instead, he turned to the eye-patched thug. "Here, Bill, or whatever your name is," he ordered in the voice of authority, "you take tickets till I put a new man on the box. Now, Unger, how was yesterday's business?"

"Who wants to know?" demanded Mr. Unger, endeavoring to assert his customary czarship, but feeling it slipping from him.

"I do," snapped Wallingford.

"And who are you?" inquired Unger, angry that his voice was losing its strength. The blue blotch on his lower lip turned purple, and Wallingford saw it.

"Sears!" snapped Wallingford.

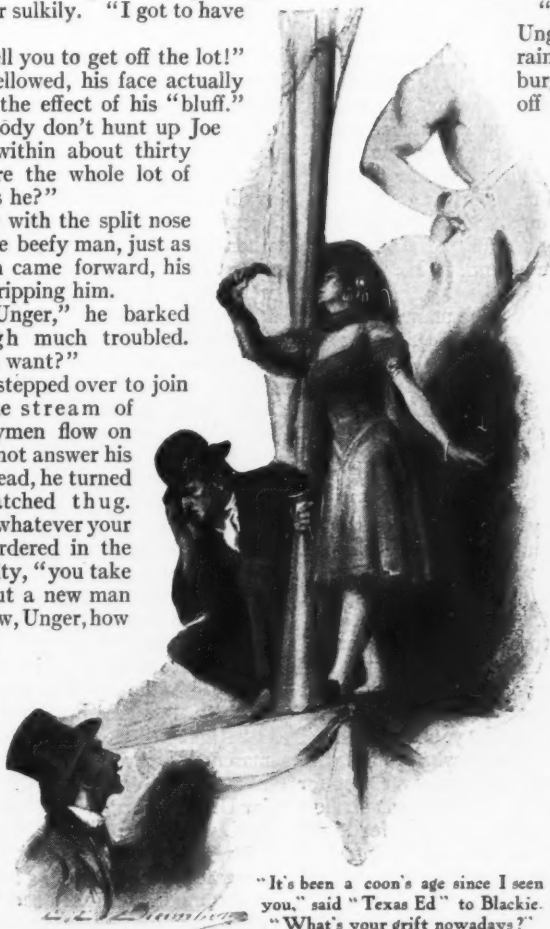
Unger repeated the name feebly, but had not the "nerve" to ask who Sears might be.

"If the fact that I'm Sears isn't enough for you, I'll have a Johnny-tin-plate tell your more," declared J. Rufus, watching narrowly, and being well pleased with the effect of this threat of a local officer of the law. "Now look here, Unger, the governor wants to know why the business is so rotten, and I'm here to find out. What was your take-in yesterday?"

"Well," hesitated Unger, "it looked like rain over in Cattlesburg, and the play fell off a little. Thirty-three hundred on the day."

"I got a different report," declared Wallingford, looking the man squarely in the eye. "You had to hunt the clouds with a telescope yesterday in Cattlesburg, and the take-in is four or five hundred out of the way. There's going to be a shake-up around here."

A little trickle of perspiration suddenly gathered on Mr. Unger's forehead and rolled off the tip of his round nose. "Somebody's been stringing you," he said feebly, feeling



"It's been a coon's age since I seen you," said "Texas Ed" to Blackie. "What's your grift nowadays?"



nervously of his trembling lower lip. There was something about Wallingford which compelled belief. Possibly it was the breadth and quality of his waistcoat.

"We'll find out about that," said Wallingford sternly. "Now show me over the plant."

## IV

WITHIN fifteen minutes it was "noised" all over the grounds that old P. T.'s right-hand man was with them, and a general tightening up took place. Performers paid extra attention to their spangles, and were as nervous as actors on opening night. The old-time elation came upon Wallingford as he strolled frowningly about the grounds in company with the thoroughly scared Unger. By the time a half-dozen circus attachés had kowtowed to him he felt that he was playing his part and playing it well. In stern disapproval of everything, he let Unger lead him about the tents and introduce him as "L. Monckton Sears," but when the manager began to ask him personal questions, Wallingford shut him up with:

"How's the salary list? Is it paid up?"

"Well, not quite," admitted Unger.

"How far are we behind?" He was very stern.

"Oh, a week or so." The manager looked nervously about him as if planning an escape.

"That means three or four, I suppose."

"Not four," Unger immediately protested, mopping his bald head.

"Three, then." Wallingford's voice was growing angry.

"Well, three for a few of 'em."

"I see. Unger, you're a common thief."

"I may make you prove that!" Unger's tone had in it the low-voiced and deadly indignation of an honest man, but his lip was not steady enough.

"What good would it do?" demanded Wallingford, sure that he had his man and burdening him down still more with that broad chest of his. "Whatever you've stolen from the governor you've salted. I haven't made up my mind what I'll do with you yet, but I may put you over just for amusement. It altogether depends on how the old man feels after I sell out for him."

The relief in the face of Unger was tremendous. "The old man going to sell?" he asked.

"Depends on the price," returned Wal-

lingford. "I want a statement of the past week's business, and an invoice of the plant, in an hour. And, by the way, if the expenses are too high and the receipts too low there'll be no sale, and then I'm likely to make somebody trouble."

"Believe me," promised Unger fervently, "to-day's business will show a grand little profit!"

"See that it does," warned Wallingford. "Tell the treasurer what I want, and then hurry back to me in the animal-tent," and, leaving Unger to alternate hopes and fears, he strode away, hurrying into the menagerie in search of Blackie and Bogger. He found Blackie alone in front of a lion's cage, rigidly motionless, and after calling him three times had to touch him to arouse him.

"You leave it to me, I think it's a joke," announced Blackie. "I've been here for ten minutes trying to make the king of beasts quail before the power of the human eye. I think he's blind, blast him!"

"He doesn't see you, anyhow," replied Wallingford, with an amused glance at the sleepy lion. "He's thinking of his native wilds of Bridgeport, Connecticut, in the cages of which he and most of his ancestors were born. Where's Bogger?"

"Bogger," stated Blackie placidly, "is anchored in seat one, section A, counting the house, and estimating to-day's profits."

"He's so easy I'm afraid of him," declared Wallingford, shaking his head. "Why, Blackie, it's impossible for a man to be as big a boob as he tells us he is."

Blackie looked Wallingford over, and grinned. "It grieves me to the heart to rub it in on an old friend," he stated; "but didn't you fall for that railroad consolidation that cost you your half-million?"

Wallingford actually blushed. "I'll have to let you get by with that one," he admitted; "but even at that, Bogger sounds too good to be true. I'm scared right now that I'll wake up and find he's a Welsh rarebit. But lead him to me."

"Right-o!" said Blackie, and briskly marched away, returning very promptly with Bogger. He was a degree too prompt, for Unger had not yet returned, so Wallingford, who was looking gloomily at the monkeys, when they came up turned and walked away from them, pausing in equally gloomy contemplation before a toothless old Bengal tiger. He was about to move away again



upon the approach of the two, when Daw clutched him by the arm.

"Beg your pardon," said Blackie, "but my friend Mr. Bogger wants to ask you a question or so."

"I'm very busy just now," declared Wallingford very gruffly.

Unger, perspiring like a camp-meeting exhorter, came in just then, hurrying at a painful rate for a fat man, and Wallingford became busy with him at once.

"I never saw such a dirty lot of uniforms in my life!" he declared. "Look at that elephant-man. It's a disgrace. I want these uniforms cleaned at once!"

"Yes, sir," said Unger.

"And those cages! Freshen them up right away."

He walked away with Unger, finding fault with every detail, and giving the guilty manager the worst half-hour of his life, while Bogger followed on with Blackie, admiring Wallingford's mastery of the circus business. Only one ray of sunshine visited Unger, and that was when Wallingford asked him about the day's business.

"The net profit to-day will be over a thousand dollars," he said proudly.

"In that part of it you're all right," Wallingford told him, to his huge surprise. "I don't want you to make too much profit. We prefer to give the people a good show."

Bogger commended Wallingford for this stand when Unger, bewildered, had been sent away. "That's a Christian way to look at it, Mr. Barnes," he said; "but still you want to remember that the next man may want all the profit he can get. And now, Mr. Barnes, if I ain't intruding, let's talk business as man to man. I know the truth about your fix. You have to accept fifty thousand dollars for this show, to-day. Now here is the point. Have you any friends that you've promised this circus to?"

Wallingford cast at Blackie an incredulous glance, and shook his head. He could not believe it yet. "Well," he nevertheless stated, "there were three of 'em who were to be on hand to buy, but the old man mixed my dates, and I told 'em it was a week away. Now I suppose it's too late to reach 'em by telegraph."

"Oh, yes! It's a lot too late!" hastily agreed Mr. Bogger. "I don't see any way out of it but for you to sell it to me, Mr. Barnes."

Wallingford put forth his hand deprecatingly. "I must correct one mistake," he

said. "I am not Mr. Barnes. I am only his agent, Mr. L. Monckton Sears, and I won't sell unless I get my commission."

"Commission!" The eyes of Mr. Bogger narrowed. "How much?" he cautiously wanted to know.

"Five thousand dollars."

Mr. Bogger whistled. "That's bribery," he said.

"Less would be a tip," declared Wallingford, swelling with indignation, and he looked at his watch. "I've still time to make the telegraph office," he stated. "Here, Jake!" and he called an animal-man. "Get me Unger's horse and buggy ready, and be quick about it. Have it out in front of the kid show."

"That would make it really cost me fifty-five thousand dollars," figured Mr. Bogger as the man ran away; "but I guess it's worth the money."

"Judge for yourself," invited Wallingford. "I'll take you around to the treasurer's wagon, and show you the receipts and expenses; also I'll show you an invoice of the circus property. By that time I might hear from some of my friends."

Mr. Bogger whipped a check-book from his pocket. "I'll pay you right now," he offered. "I'm satisfied about the money part. I've asked six or seven men around the grounds here, and though they don't all say the same thing, they've convinced me that there's a fortune in it every day."

Both Wallingford and Blackie carefully refrained from smiling. It required no very lively imagination to guess the sort of answers Bogger had received from the attachés of the show, if he had asked them about the money in the circus business.

"I didn't believe some of 'em," went on Mr. Bogger, hunting about for some place to write. "One of 'em told me that this circus has a special cast-iron car to carry the money in, and when it gets full Barnes has it shipped home, where he has a tall iron building like a grain-elevator to keep it in; but I guess he was joshing, wasn't he?"

"Well," confessed Wallingford slowly, "he was exaggerating a little. Mr. Barnes don't have an elevator; he uses vaults."

"Here, Alphonse," called Blackie to another animal-man, and as soon as the hay-carrier arrived Blackie solved Mr. Bogger's dilemma by bending "Alphonse" over, spreading Mr. Bogger's check-book upon his back, and proffering a fountain-pen.



## The New Adventures of Wallingford

Wallingford stayed Mr. Bogger's hand. "Make it in six checks," he directed. "One of five thousand, and five of ten thousand; all to L. Monckton Sears, Agent."

Mr. Bogger looked around at him dubiously. "Of course you want your five thousand separate, but I don't see why you want to split up the fifty thousand," he ventured.

Wallingford smiled in a superior manner. "You'll know more about the circus business in a week or so," he stated.

Once more Bogger held his pen poised. "Of course I get a bill of sale or something, don't I?" he inquired.

"With a big gilt seal on it," Wallingford promised. "You'll have to hurry, Mr. Bogger, for we must get to town before the bank closes. We'll go there first and get the checks certified, and then to a lawyer's office and draw up the bill of sale."

"I see," said Mr. Bogger, and made out the checks, whereupon Wallingford, with his politest smile, led the way to Unger's light buggy, which was already waiting for them. There was no room in it for Blackie, and Wallingford excused himself for a moment to give Mr. Daw some instructions.

"Do you believe it yet?" inquired Blackie when they had withdrawn to a safe distance.

"No," declared Wallingford. "It's too much like laughing-gas. I'll open my eyes in a few minutes and find that the dentist has pulled the wrong tooth."

"It don't look easy to me," returned Blackie with a troubled look. "I don't see how you're going to get away with it without a pinch, even if you cop out your five thousand and hand him back the rest. I don't like that bill-of-sale thing. It means a ten-stretch in the big cement residence with the spikes on the walls," and then he added hopefully, "unless we duck with the whole wad. Do you suppose they could find us in Paris?"

"Do you suppose we two could disguise ourselves by changing our hats?" demanded Wallingford. "They'd find us any place, if I ever fell for a single one of your dopes. I think you said this ballyhoo person on the kid show was a sort of a pal of yours. Introduce me to him and then hurry back and entertain Bogger."

Blackie introduced Wallingford to "Tex-as Ed," and left those two kindred spirits together. Presently Wallingford came back, drove to the bank with Mr. Bogger and had his checks certified, drove to the office of a

lawyer, and dictated a wide, sweeping, and comprehensive bill of sale, directing particularly that a large seal be put upon it; then he excused himself for a few moments while the document was being drawn up, and went out to take the air.

## V

MR. BOGGER walked upon the grounds of the P. T. Barnes Colossal Aggregation of Tented Wonders as monarch of all he surveyed, just after the afternoon performance had closed. He held his head very high, did Mr. Bogger, and wore his gay-banded straw hat rakishly upon the side of his head. Those white-tinted peaks and all that they covered were his, to do with as he wished. He could go in and order an elephant hitched to his buggy if he liked. He was very toppy when Wallingford introduced him to the astounded Unger as the new proprietor, and preferred to take a close survey of his property by himself.

Just between the main tent and the cook-tent, "Daredevil Demo" accosted him. In his street-clothes, Demo, whose every-day name was Murphy, was a skinny little chap, who looked as if a girl could slap him and make him cry, and Mr. Bogger turned to him sharply.

"Well, what do you want?" he asked in his quick high voice.

"Money!" replied Demo promptly. "They tell me you're the new boss and have the coin. I'm three weeks back, and I want mine."

"Well!" exclaimed Bogger. "I'll have to look into this! How much do you get a week?"

"Five hundred and fifty dollars," Demo calmly told him.

Mr. Bogger almost dropped dead upon the spot. "A week, did you say?" he gasped.

"A week. I get shot out of a cannon to a platform up in the dome, grab a bicycle, ride down a two-hundred-foot chute, jump a forty-foot gap, and land in a tank of water. Do I get my back pay?"

"I'll see about it," promised Bogger, much troubled, and he started to turn away.

Demo grabbed him by the shoulder and turned him around with one swing. "I get it now," he declared, "or I'll close up your bloomin' show. I ain't so strong for this outfit anyhow, especially since a hay's going to try to run it. If I don't get my coin





"You're fired!" Wallingford roared, shaking his big forefinger in the ticket-taker's face.  
"Get off the lot!"

before I go on to-night, no show! And if these rubes don't see my act, they'll tear down the tent. I'm what brings 'em here."

The "Trelvo Trio of Aerial Acrobats" descended upon Mr. Bogger in a body before Demo had finished with him. They were Swiss, and knew but little English, but they very energetically conveyed to Mr. Bogger the fact that they were three weeks in arrears in salary, and wanted their money. If they didn't get it, no show; also a sheriff!

A brigade of peg-drivers and rousters joined the party while the Trelvo Trio was still gesticulating and jabbering, and they surrounded Mr. Bogger in a solid phalanx, demanding three weeks' back pay. If they didn't get it, they intended to tear down the big top, right after the show, and leave it on the grounds. More came running, bare-back riders, wagon-men, tumblers, trainers, chariot-drivers, and even some of the young ladies of the spectacle, all with Elias Bogger as their objective point, and all screaming a mad demand for money. It was upon this scene that Wallingford, Blackie Daw, and "Texas Ed" emerged after a visit to the eagerly hospitable Unger's private stock of liquors in the dressing-tent, and they stopped and surveyed the moving picture with keen appreciation.

"Oh, look at the Roman mob!" exclaimed Blackie in admiration, and he moved about to view it, with an artist's eye, from different angles. Bogger, chancing to see Wallingford, broke through the vociferous

human hedge, and, with screeching promises to pay, ran straight to J. Rufus for protection, followed by the noisy rabble. Ed promptly shunted Bogger, Daw, and Wallingford into the shelter of the kid-show tent, and, with the iron hand of authority, drove the clamorers back.

Inside the tent, Bogger was conducting an almost tearful argument with Wallingford. "It's an outrage," he said. "You didn't tell me you owed these people back salaries. You've got to pay 'em. It's part of the old business."

"There is no old business," Wallingford suavely informed him. "You'll find, if you read over your bill of sale, that you have assumed all the obligations of the P. T. Barnes circus. In the meantime, you might invite us all over to your eating-tent to have dinner."

"Well, I reckon a couple more won't make any difference," admitted Bogger grudgingly. "I'd really ought to charge you heavy for it, though," and he followed Ed's lead to the mess-tent. Here he cheered up a bit, for, though the board and utensils were rough, the food, if plain, was good; and, at an opposite long table, sat the ladies of the Queen of Sheba spectacle, most of them bulging through their hastily donned and ill-fitting street-clothes, most of them in the crudely daubed paint of their make-up, and most of them too tired to feel or even look vivacious; but there were a few among them who cast bright eyes in the direction of the three strangers, and these in a measure rec-



ompened Bogger for his recent pains and terrors.

After dinner, while the men were smoking a quiet cigar and the big torches were being lighted in the tents and about the grounds, preparatory for the night performance, the new circus man slipped quietly away to investigate certain portions of his own property which had been strongly tempting his curiosity. A few moments later there was a tremendous hubbub in the neighborhood of the women's dressing-tent, and a shrill chorus of angry feminine voices. Hastening in that direction, Wallingford and Blackie met Mr. Bogger on the dead run, followed by a platoon of the coryphées in various stages of most unattractive dishabille. It took the united authorities of Wallingford and Unger, who came up just then, supplemented by the nervous activity of Blackie, to rescue Mr. Bogger from the wrath of the Amazons.

"You ought not to fuss in with these people until you are properly introduced!" Wallingford chided him. "I suppose you slammed right into the women's dressing-tent."

"I showed 'em my bill of sale," urged Bogger in his own defense; "then an old-looking young woman pushed me in the face, and the rest of them jumped on me. Trying to get away from them I ran into a little private dressing-room, where there was a woman with green skirts, and she screamed like a steamboat whistle."

"Great snakes!" exploded Unger. "You've done it this time. That's Madame Ballarina, our star rider. She does a toe-dance on horseback, and her husband, who is built like an ox and has a temper like a red-hot stove, is her private ringmaster. Our head clown is her brother, and he has killed three men in his time."

"Lord help me!" groaned Bogger. "What am I going to do?"

"Never mind, we'll protect you," said Wallingford reassuringly. "You'd better keep Mr. Unger by your side to steer you out of mischief for the next three or four days. In the meantime, stick close to us to-night, and we'll not allow anyone to hurt you."

"I won't leave you a minute," earnestly declared Mr. Bogger.

"Let's go over to the big top," invited "Texas Ed." "Fred Bristol's going to try out a new flying-trapeze act before the performance," and he led the way.

The main tent was big and high and dim and mysterious, with its one torch lighted. Away up in the dome, a tiny trapeze swung on long strands which, from the ground, looked like spider-webs. Upon a little shelf, far, far away, stood a slender, graceful man in pink tights, and from either side of the shelf stretched down long ropes. A man with a coat and trousers on over his tights hurried up to Bogger and handed him a rope.

"Here, pal," he said; "hold this line, will you?" and he thrust it into Bogger's hands. "Get a good grip on it," he directed, and moved away.

The pink-clad acrobat upon the high shelf drew the trapeze far across and up to him with a tape. All at once there came a mighty tug at the rope Bogger was holding, and it was jerked from his clasp. A cry of horror burst from the throats of a score of circus attachés, and down, down, down through the dusty air of the big tent, with its rows upon rows of dimly empty benches, came whirling and sprawling a pink figure! A shriek burst from the pallid lips of Bogger as it thudded upon the ground. The circus men, mostly acrobats, rushed to the spot where the pink figure lay, concealing it from view. There was a piercing shriek from a woman near the entrance.

Bogger, trembling, nerveless, and stunned into paralysis, leaned back against the tent-pole, his weak knees bending under him and letting him slide gradually down, when Wallingford plucked him by the arm.

"This way out," said he, and he shoved Bogger, running, ahead of him to an opening and thrust him through. Bogger had run a third of the length of this enclosure before he realized that he was once more in the women's dressing-tent, and then the faces of the furies spurred him on to such speed as his legs had never yielded in his life. At the outer entrance of this tent, where the blessed air came through, a fairy-like figure in fluffy green, the star bareback rider of the private dressing-room, suddenly confronted him with an accusing finger.

"Here's the Johnny-Peeper, boys—get him!" she cried.

A man the size of a side of a house, and dressed in high hat, spike-tail coat, white trousers, and shiny top-boots, suddenly appeared from the outer darkness, accompanied by a clown with a foolish grin painted upon his face and with a snarl upon his



actual lips. It was the clown who grappled with Elias and landed the first and only blow, and that only a glancing one upon the cheek-bone. There was time for only the one, for Mr. Bogger, jerking loose by an almost superhuman effort, put on an additional spurt of speed which made his previous progress seem snail-like; and the darkness swallowed him up, shrieking.

There was but one logical end to such blind speed, and that was a stumble. A little drainage-ditch got him, and laid him low to listen to the beating of his heart and imagine that trip-hammer noise to be the patter of pursuing feet. Wallingford and Blackie Daw caught up with him presently, helped him to his feet, and were soothing him with kind and comforting words when a sad procession filed out of the main tent. Four men bore a stretcher, upon which was a limp form, covered, by the irony of chance, with one of the broad red ribbons over which bareback riders jump. Quite a number of men with bowed heads followed it down to the railroad siding, where the circus sleeping-cars stood.

"It looks bad," said Wallingford; "very, very bad. I don't know whether the man is—is dead or not, but in any event you're up against it, Bogger. Fred Bristol is one of the best high-trapeze men in the business, and it means a twenty-thousand-dollar damage suit, which you'll probably lose. You see, what makes it so rotten is that if you'd been a mere spectator holding that rope, they couldn't have held you for much, but being the proprietor of the circus—well, you can see how it is yourself."

"Where is he? Where is he?" bellowed a bull-like voice from out of the darkness. It was the voice of the big ringmaster husband of the pretty bareback rider.

"Proprietor?" moaned Bogger. "I wouldn't be the proprietor of a circus for a million dollars!"

A peanut-vender lit his torch near by, and it flamed upon the countenance of Bogger. His right cheek was streaked with red grease-paint from the fingers of the

chorus lady who had "pushed his face"; his left cheek was crimson from the glancing cut of the clown's fist; his forehead and nose were black with the mud of the field; his gay straw hat, which, by some freak of circumstance, had stayed upon his head, had an open lid and a fallen brim; his collar was torn open, and his tie was ludicrously awry; but more pathetic than all these was the broken and drooping spirit which feebly glimmered through the bloodshot eyes of Bogger, the crest-humbled.

Neither Wallingford nor Blackie, however, wasted much pity upon the victim of his own folly.

"You'll have to be the proprietor," said Wallingford coldly. "It's a legally binding transfer, and you're lucky if you don't have



"Here he is!" yelled Wallingford loudly



manslaughter against you as well as a damage suit."

"Where is he?" again bellowed the voice out of the darkness.

"Please, Mr. Sears, please, I beg of you, let me out of this," pleaded Bogger, with quivers of terror in his voice. "Take back your bill of sale and give me my checks. Please."

"And stand this damage suit myself?" inquired Wallingford, with scorn. "I should say not. A sale is a sale."

Again the voice from the darkness, this time nearer!

"I'll discount it," offered Bogger; "only get me away from here! I'll give you anything you say."

"Right outside is Unger's buggy," said Wallingford. "I'll jump you right in that and take you to town as soon as we come to terms. I'll take your bill of sale, and tear it up, and give you three of your checks, and deny that you were the proprietor when you held that rope."

"Three of 'em!" exclaimed Bogger. "Thirty thousand dollars! It's robbery!"

"There's that damage suit," Wallingford reminded him.

"You may win it," protested Bogger. "Give me four of the checks, and I'll settle it."

"Here he is!" yelled Wallingford loudly to the angry husband somewhere in the darkness.

"Don't! For Heaven's sake, don't!" Bogger half sobbed. "Here's your bill of sale. Give me those checks. Now where's that buggy?"

The transfer was made as they ran, and as Wallingford whipped up Unger's horse, the megaphone voice of the big ringmaster husband was heard once more, bellowing:

"Where is he? Where is he?"

## VI

"Now I guess you believe it, friend of my bosom!" exulted Blackie, tired but happy, as they sat in the smoking compartment of an eastern-bound Pullman that night. "The real boob, though, was Unger. I'd give a dollar to see him when he gets your number. He lost five pounds of lard to-day, but I'll bet he loses ten to-morrow. Well, it was fine fishing, if only the bass don't jump the hook as it leaves the water."

"Wake up," said Wallingford. "You're talking in your sleep, Blackie, and I don't get you."

"Well, we might have trouble cashing those checks," worried Blackie.

J. Rufus turned an amused smile upon Mr. Daw. "Haven't you any faith in me at all, even after all these years?" he wanted to know. "I cashed my three certified checks this afternoon at the bank, while Bogger was watching the lawyer write that fancy bill of sale."

"I apologize," said Blackie. "I apologize sufficiently, however much that may be. At that you were lucky. That holler for back pay, and the dressing-tent trouble, and the trapeze accident all helped you, Jim, or you never would have got away with it. Do you suppose the Lord ever helps a crook?"

"No; they help themselves," returned Wallingford with a sigh. "That's why they're always broke."

"I don't know," mused Blackie; "it looks as if you had more than your share of help. Poor Bristol! I hope he isn't very badly hurt."

"Bristol!" laughed Wallingford. "He's the stingiest acrobat in the business. He is at this moment sewing a hundred-dollar bill to his undershirt."

"He didn't drop a dummy?" protested Blackie incredulously.

"He charged me an extra twenty for the old pink tights it was dropped in."

Blackie swore softly under his breath. "Then the whole thing was a plant," said he; "back-pay grabbers, bloodthirsty husband, and all."

"Why else should I slip your friend, 'Texas Ed,' a five-century note?" inquired Wallingford. "He's a clever kid, and everybody likes him. When he tipped the rough-necks and strong-arms to surround Bogger and yell for three weeks' money, they ate it up like hot wheat-cakes; and when he put them wise to mob him in the dressing-tent, the Janes went to it like a bargain matinée. Ed staged it all, but his star play was hiring that big monkey-trainer to play the angry husband of the bareback rider. He got ten dollars for merely yelling, 'Where is he?'"

Blackie contemplated for a while, and then he laughed happily. "I wonder if they have any champagne in the diner," he said.

The next story of "*Get-Rich-Quick Wallingford*" will appear in the February issue.



# The Bribe

HOW POLITICS IN THE MIDDLE WEST PITTED  
A STRONG MAN'S LOVE AGAINST HIS HONOR

By David Graham Phillips

*Author of "The Plum Tree," "Old Wives for New," "The Husband's Story," etc.*

Illustrated by M. Leone Bracker

AT noon on one of those unseasonably warm days in early March that so often—and justly—frighten the farmers of the Middle West a young man rushed from the vast entrance to the state Capitol as if he were wound up for a dash of at least the full length of the broad avenue stretching away from the esplanade. But at the first terrace in the flight of stone steps that gave descent to the esplanade he halted. The look of stormy resolution abruptly left his face, to be replaced by an expression of weakness that was grotesque, so ill did it fit his strong features. He muttered:

"I can't do it! I must, but I can't!"

There were less than a dozen loneliness separated figures on the wide expanse of steps and esplanade. None of them was anywhere near the young senator from the Fourth District. He felt horribly alone and weak—like a man in a rowboat on a tempest-racked ocean. Behind him towered and spread the enormous Capitol. The young man turned round and glanced up at it. A state flag fluttered over either wing, to indicate that both houses of the Legislature were in session. A huge, gorgeous national flag streamed above the cornice before the dome. To him the ripples of those flags seemed to have something mocking and cynical in them—an insulting taunt, personal to himself.

He observed that a score of loungers with eager and mean curiosity in their faces—the expression in the faces of the circle round a dog worrying a rat to death—had issued from the corridors of the Capitol to note and comment on his movements. He wheeled abruptly and again gazed down Federal Avenue, which he seemed to lack the courage to essay. It was apparently empty, but his face suggested that somewhere there lay a peril beyond his strength to overcome, beyond his courage to meet. Through the

thin line of loungers in the portico of the Capitol and before its entrance pushed a small, slouchy man with a terrier face and small eyes, wicked but humorous and good-natured. He went toward young Senator Clarke with a grin of amused and cruel pleasure on his small, intensely energetic face. This expression changed to affable, faintly respectful kindness as he stood beside the young man—stood where Clarke might see. Said he,

"Better come back, Andy."

Clarke suddenly became resolute again, though ghastly pale. He looked down at the small, nervous, dangerous-eyed Ratcliff, but did not speak. However, the look was speech, vigorous speech—a concentrated essence of negation.

"Even if you don't like Neal personally, you've got the excuse that he's the choice of the majority of the party."

"He wouldn't dare run for an office where the people had a chance at him."

"That's nothing. The people are a lot of fools. You haven't been in politics five years without finding that out. The first time you ran for the Legislature you'd have been beaten if it hadn't been for the money we spent. And the fellow you ran against—the popular idol of Morgan County—he was about the cheapest, frankest grafter in politics. And he's been governor since—elected as head of a reform movement. And the money that elected you—it was this 'dirty money' you've been raising such a howl about."

"I didn't know it," said Clarke. "I was an innocent then. And I don't owe my place now to any kind of money."

"Oh, you're popular, all right," conceded Ratcliff—Rud the Rat, he was familiarly called. "But if we have to do it—if you force us to do it, Andy—why, we'll turn you down next fall. The fact is, the people ain't got much belief in you altruistic fellows—



## The Bribe

who love them better than you love your own interests. And that shows a glimmer of good sense in the people. Fact is, it's against nature—human nature—for a man to be unselfish. And so the people suspect that your kind of politician is a hypocrite, trying in an underhand way to get where he can graft, instead of playing the political game in the frank, ordinary way. The people don't hate grafters. They admire and envy them. What causes these excitements now and then is the people getting mad because they can't graft, too."

Clarke listened with a disgusted, disdainful expression that gradually changed to amusement. When Ratcliff had finished his moralizing, Clarke said:

"I don't care a picayune, Rud, what the people think of me. What worries me is my private opinion of myself."

Rud colored, and his eyes shifted, and the set of his chin became vicious and vengeful—for an instant only; but it was no small triumph for Clarke that he had been able to make so self-controlled a man openly wince, openly show the hate always in the heart of the indecent for the decent.

"And," continued Clarke, "I shall not vote for Jim Neal for United States senator."

"I see you haven't counted the cost, Andy," said the Rat persuasively—like a good friend, deeply concerned for a friend's welfare.

"Yes, you can turn me out of the Legislature," replied Andy. "I suppose you can kill my political career. The people will applaud me, and then go about their business and forget me. But I'll manage to live."

"How?" said Ratcliff. "Practising law?"

"Sure," said the young senator.

"Just cast your eye over the men who've broken with the party leaders in this state these last ten years—most of 'em young lawyers. Is there one of 'em making what you'd call a decent living? Yes, there's one. There's Walker. But he came in and got forgiven and makes speeches for us whenever we want him—whenever we'll let him."

Clarke was moodily staring down the avenue.

"No, you'll not be able to make a decent living, Andy," pursued Ratcliff. "Not even for a bachelor. If you were a married man, you'd not be so—so opinionated."

These references to bachelor and married man evidently shielded a hint that was not lost upon the handsome young senator from

the Fourth. He reddened and hastily shifted his gaze from the point far down the avenue upon which it had been concentrated. Rud the Rat observed the shifting gaze and smiled secretly.

"If you don't come back and vote for our man, Andy, you might as well pack up for a move out of the state. The people forget, but the crowd that runs politics don't—especially a dangerous young popular idol like you. And once you're down the people'll despise you. Don't mind my speaking frankly, old man. We come from the same town. Your father gave me the first job I ever had—office-boy."

"But what will the people think when you elect Jim Neal?" demanded Clarke.

"They won't think," replied the handy man of the Republican state machine—he was also, in secret, the handy man of the Democratic state machine, the two jobs being not only not inconsistent, but actually in their very nature one and the same. "The people won't think. They've got no time. They've got nothing to think with. They elected us as reformers, and that settles it—we *are* reformers."

Clarke's gloomy face confirmed the truth of Rud's statements.

"We've got to have your vote to elect Neal. He bought the senatorship—paid for it with the money that financed our great reform campaign."

"He's a thief, and he wants to get to the Senate so that he can make his big fortune bigger—in the same way that he made it big."

"What's the use in being so unpractical, Andy? At least, wait till you're strong. Don't fight now, when you're sure to be knocked out." After a pause, Rud went on, with a meaning smile—his eyes were fixed upon the same point far down the avenue that seemed to have such a fascination for Clarke, "Jim Neal's the uncle of Henry Bushrod, and gives him his place as editor of the *Gazette*."

"Yes, I know Neal owns the *Gazette*," said Clarke. "I heard it about an hour ago, when they were trying to scare me into voting for Neal."

"He owns the *News*, which is the organ of 'culture' and property, and he owns the *Gazette*, which is the opposition organ of your friends, the plain people." Rud laughed with a humorous man's keen appreciation of a good joke. "In the *News* he advocates





"I wonder if you do love me as you've been saying?" she said suspiciously

the corporations. In the *Gazette* he denounces the corporations and urges the people to rise, but not just yet, not under any foolish leaders such as your sort of reformers. You're too young and innocent, Andy. What's the use? Come on—while there's time."

"No," said Clarke, his lips shutting tightly behind his negative.

Rud hesitated, dared. "What do you think Bushrod's daughter'll say?"

The red flamed high in the young man's face.

"Miss Jessie Bushrod is Jim Neal's favorite niece. And they say she's mighty proud of him—and that she's to get most of his money."

Clarke looked at the sly, nervous little man. "Stop, Rud," he said.

Rud stopped. Anyhow, he had fired his gun, the gun that was sure to bring Andy Clarke down—Andy Clarke, engaged to Jessica Bushrod and so madly in love with her that everyone who saw them together knew it. After a pause he said, "Well, Andy, there won't be another ballot until to-morrow."

"It will be the same to-morrow," said

Clarke. "And I'll keep my word that if any of the six fellows on the other side whom you've bought for use in case I can't be frightened casts his vote for Jim Neal I'll rise and denounce him and name his price."

"I'll admit you've got the whip-hand," said Rud. "I've already admitted we can't pull Neal through without you. But—go to see your girl, and then think things over, and—"

Clarke was halfway down the second group of steps. Ratcliff stood looking after him with a glance of amused contempt. In story-books resolute virtue extorts respect from vice. But not in life. In life a "practical" man despises those "impracticals" who not merely erect but also try to live up to standards fantastically out of place in a world made up of shearers and shorn.

There would have been anger and alarm, and no amusement at all, in Ratcliff's contempt had he been a profound judge of human nature instead of merely shrewd. Mere shrewdness is always shallow—deep enough for the ordinary uses of the man of affairs dealing with crude appetites and weaknesses only; but now and then it leads into absurd misjudgments, because now



and then there is a human being actuated by motives not within the ken of shrewdness. Ratcliff assumed that Clarke was merely another case of impotent, perhaps at bottom insincere, struggling against the compulsions of vulgar common sense so offensive to youth. A little more rearing and plunging, and the senator from the Fourth would decide for the peace and prosperity of the harness and the stall.

Andy Clarke did not pause until he reached a handsome big house near the farther end of Federal Avenue. The grounds were spacious, and verandas gave the house an air of comfort and hospitality. The front doors were open. Screened from the street by evergreens, on the main veranda to the right, in a huge rocking-chair, sat a girl of perhaps eighteen. The young man coming up the walk from the gate kept his gaze fixed upon this girl. His eyes had almost a hypnotized stare, so strained was their expression; his face was whiter than ever and every muscle in it was tense. The girl, rocking and gazing absently away to the right, did not observe his approach. He started up the steps; at the sound she turned her head and burst into a radiant smile. Up she rose, a tall, slender figure, beautifully rounded. She had a small head, much fair hair. Her eyes were of the rich light-brown that hazel perhaps most nearly describes. They were shining, intensely alive eyes. Indeed, throughout she was the perfection of health. Her mouth was rather small; the lips were full and red. There was some color in her fair skin, but not too much.

As she looked at him, welcoming him so dazzlingly, the expression of shamed, self-despising vacillation returned to his face.

Said she, "I didn't expect you until supper-time." Into these commonplace words her voice put an accent of tenderness, of passion even, that made young Clarke quiver. She stretched out both her hands—fine, white, capable hands. Not capable for the rough work of the world, not capable for the business of motherhood, but capable for seizing and holding the love of a man. She seemed the embodiment of the idea of love. She seemed born to inspire, incite, inflame love, and to yield to it. She—even in her barely formed womanhood—was of the sort of woman at whom all men look with longing—and at whom the experienced man looks with trepidation. For

there are several other things to be done in the world besides love-making, and this sort of woman insists upon love, nothing but love. To win her a man must absorb himself in her; to hold her a man must give her all he has, leaving nothing for the career. Such women are born for the few years between seventeen or eighteen and twenty-eight or thirty. They are gorgeous, alluring, so long as their youth of the first soft down endures. After that men avoid them as eagerly as they formerly sought them. Such women pay a heavy, often a hideous, price for their few years of splendor. Instinctively they seek to live every moment of the brief time allotted them.

Clarke looked steadily at Jessica Bushrod without speaking. The smile died from her face. Into her eyes came a fascinated, frightened expression, and her lips and her cheeks suggested that they were burning with the fire of invisible kisses. She said in a low, nervous tone:

"Don't look at me like that. At least, not here."

"I can't help it. I'm mad about you, Jess." He dropped her hands, lowered his gaze. "You do love me, don't you?"

"I can't think of anything else," replied she. "It isn't true that we've known each other only two months—and been engaged only a month. Sometimes I hardly sleep at all for nights and nights. Then I sleep as if I were dead."

"You wouldn't give me up—no matter what happened?"

Her eyes blazed. "I couldn't. It'd kill me. I'm—I'm so afraid of losing you. You aren't fickle? You won't change?"

"You wouldn't give me up, even if your father and your uncle tried to make you?"

"They want me to marry you."

"But they might change."

"I sha'n't!"

"They *will* change, Jess. They'll do everything in their power to separate us. *Everything.*"

"Why?" she asked wonderingly. She caught her breath, leaned forward, said excitedly, "Have you done—something—awful?"

He hesitated, seeking words in which to explain to a woman so young and so ignorant of politics and so quickly bored by any serious subject or, indeed, by any subject such as might come up between a man and a woman except love. Never before had he



talked to her, or wished, or needed, to talk to her, on any subject but love.

"I forgive you," she went on eagerly. "I'm glad to have the chance. I'd not blame you for anything—even for—" She did not finish, perhaps through prudence, perhaps through shyness, perhaps because she could not find words of plausible propriety in which to convey her idea.

"I'm not doing anything awful," said he. "But your father and your uncle—especially your uncle—will think and say frightful things about me."

"Is it politics?" inquired she.

He nodded.

Interest vanished from her face. "I don't understand those deep things. I only care about—us."

"But they may ruin my career. Yes, they will ruin it."

"That doesn't matter." She was indifferent as to careers; she had but the vaguest notion what a career meant.

"It may be years before I'll have money enough for us to get married on."

"That doesn't matter, either. Uncle Jim is going to give me an allowance when I marry. We'll live on that."

"He'll not give it to you if you marry me, Jess. He'll—he'll cut you off."

She laughed. "Oh, you don't know Uncle Jim. He's crazy about me. I can do what I please with him."

"Anything but that one thing," said Clarke. "He's going to hate me because I'm keeping him from being United States senator."

"But you mustn't do that, Andy," cried she. "Why, his heart's set on that. He talks about it all the time. It's awfully tiresome. I hope they'll hurry up and give it to him so that he'll talk something else."

"Jess, I can't let him have it," said Andrew desperately. "I've got to vote against him, and I've got to keep those Democratic crooks from voting for him."

She dropped into the rocking-chair, shook her head, and laughed. "Don't be silly, Andy. You know you've got to vote for him."

"I can't," said he, in despair as he faced the task of explaining to her.

"Why not?"

"Because—because— Jess, you don't understand about politics. I can only say he's not the right man for the place."

"Oh, yes, he is," the girl assured him.

"He's the jolliest, kindest man alive—and mighty sharp. He'll make a lot of money out of it. He makes money out of everything. But let's not talk about it any more. It's so tiresome. Let's talk about ourselves. Have you thought of me much to-day? Do you like me in this dress?"

She sat there in an attitude of grace that displayed the finest lines of her lovely figure. And watching the motions of her lips as she spoke—her full, red lips, made for kisses—it was all but impossible to think of anything but of love—of loving her—of kissing her. The young man clenched his hands and gave a kind of groan. He cried:

"Oh, Jess, I love you! But I *can't* let your uncle have that place."

"But, dear," she urged, "it'll make him furious. And he's got a frightful temper. And when he hates anybody he never forgives. Why anger him? He'll do a lot more for us than anyone else would. Why get him down on you? Why make it hard for us?"

"I've got to, Jess. It's right. I'd despise myself if I did otherwise."

"Why, you talk as if you were trying to hint that my uncle Jim is a bad man!" she cried.

He was silent.

"Please don't," she pleaded. "I wouldn't let even you speak against him to me."

After a long pause, Clarke said, "Jess, I see I'll have to explain the whole thing to you."

"No, I won't listen. I wouldn't understand if I did. And I don't believe anything against my uncle. I *know* him." She gazed fixedly at him. "I wonder if you do love me as you've been saying?" she said suspiciously. "You don't act a bit as if you were in love. I didn't know you could be so horrid."

"Jess, you love me?" he said earnestly.

"If you love me," replied she. And if he had been more experienced and less under the spell of her physical beauty and of her passion for love, he might have seen more than a hint of the great man-and-woman truth in her queer expression. He might have caught a glimpse of those deeps of cold calculation that always lie beneath the shallow shell of torrid emotion, in the sensual temperament.

"Then you trust me," he went on, seeing only her loveliness. "You know I couldn't do anything that I didn't think was right."



"If you did anything against my uncle, it wouldn't be right. And if you did anything to make it hard for us to marry, it would be wicked—it would show your love was only pretense."

"You couldn't respect me if I did wrong," said he, desperate before the hopelessness of an argument with her.

"I'd love you no matter what you did—if you loved me," replied she.

"Then, Jess, I've got to vote and work against James Neal. So you'll love me just the same."

"But that shows you don't love me." She looked at him with passionate indignation. "Andy Clarke, how can you pretend to love me when you put other things before our love? And *such* other things! Deliberately provoking my uncle Jim to hate you and to turn against me."

He looked at her wildly; he started up, drew her to her feet and into his arms. He clasped her fiercely—so tightly that she gasped. He cried: "I've got to keep my self-respect. And I've got to have you. Tell me that you love me, Jess!" And he pressed his lips upon hers.

She trembled. "Yes, yes," she murmured. "I can't do without you. I've given you my heart. You must love me—you must!"

"You'll stick—no matter what happens?" She hesitated.

He kissed her again and again. Suddenly she yielded completely to his embrace. "Kiss me!" she said, her voice tremulous with tenderness. "More—more!"

He kissed her on the eyes, on the cheeks, on the lips.

"No matter what you do," she said, "I've got to have you, too."

"My love, my love!" he murmured. "If you'll stand by me—and believe in me—you'll never regret it, never. I'll make you as happy as you make me."

Absorbed though she was, she heard the sound of footsteps in the front hall, and hastily disengaged herself and sat down. "It's father," she said in an undertone.

He was relieved by the interruption, at the same time hating it. He was relieved because he realized that her kisses, the touch of her arms, of her fingers, were wrapping the chains of slavery to her about him. He understood why she, in ignorance of every phase of life except love as he had awakened her to it, cared nothing for moral standards, nothing for anything but only love. He

knew that if she then, with her lips close to his, were asking him to take the easy way, the way he could hardly hope to make her see from his point of view—if she were asking him to yield, he would yield. He was saying to himself, "I never before knew that a good woman—a pure, innocent woman—could be a worse force for evil than any bad woman possibly could."

Her father, Henry Bushrod, who now appeared in the doorway, was one of those men who at first glance give an impression of great strength of character because the development of the forehead, the look out of the eyes, the poise of the head, have intellectuality. As few people take—or know how to take—the measuring, seeing second glance, Bushrod had a reputation for strength. And the clear vigor of his editorials in the *Gazette* seemed to justify this reputation. There was, however, a telltale weakness in the lower part of the face. His mouth looked firm so long as he was conscious of being watched and, thus, was on guard, but no sooner did he forget himself than all its firmness melted into fluid vacillation. He had formed an unconscious habit of alternately compressing his lips and letting them relax—about as certain a sign of weak character as any in the science of physiognomy.

Bushrod belonged in that melancholy, interesting, and increasingly numerous company of fallen men who keep up the pretense of virtue, even to their own deceiving. He would—quite honestly—have repulsed the idea that he was not the impartial, stalwart friend of the right, of liberty and democracy, that he posed as being. He—that is, his newspaper—was always on the right side *except* in the crises. Thus he was merely one of the bell-wethers of the plutocracy, herding the people and leading them, and at the proper moment delivering them into the custody of their shearers. As he was morbidly sensitive about his own self-respect, and as he had to keep himself deceived, he was among the most useful of those bell-wethers. Adroit indeed were the excuses his subtle brain thought out for suffering the plutocracy to keep power, for putting off its day of reckoning.

As his glance rested upon the young senator his face did not wear its usual editorially patronizing expression of benevolent and friendly welcome—the look of the all-wise and all-powerful editor for the rising





DRAWN BY M. LEONE BRACKLEY

"Kiss me!" she said, her voice tremulous with tenderness. "More—more!"



young public man of whom he approves and from whom he expects great things presently. On the contrary he was frowning savagely. Said he:

"Ah, Clarke, I've just had a telephone message about you. From the State House."

The young man wore an expression of composure that did credit to his self-control. He glanced toward Jessica. To his surprise his glance rested upon the empty rocking-chair. She had slipped away through one of the long windows into the house. Clarke looked at the man he hoped would soon be his father-in-law. "About the Neal business?" said he.

"I'm astounded, Andrew. I'm shocked."

Clarke understood — Bushrod's anger made misunderstanding impossible—but he, with the instinct of the lawyer, pretended to misunderstand. "I too was astounded and shocked when they sprung Mr. Neal's name in the caucus this morning," said he. "If they had searched the state they couldn't have found a man who so exactly fits your splendid descriptions of the sort of man a United States senator should *not* be."

Bushrod's glance shifted, returned angrier than ever, angrier because Clarke had cleverly almost forced him to see his own shame. "My brother-in-law, James Neal, I would have you know, sir," cried he with weak haughtiness, "is about the fittest man in the state for senator. I know him. He has a big heart and a big brain, and his probity is unstained."

"Mr. Bushrod!" exclaimed the young man. "How *can* you say that? You must know—"

Bushrod made a furious gesture. "I forbid you to repeat in my presence the infamous lies that have been circulated about him. No wonder it is hard to make progress with radical ideas among serious thinking people! Some of our fellows are always foaming and lying, or repeating calumnies upon honest men that wouldn't be believed by anyone in his sober senses. And I am astounded that you—*you* of all men—should have sprung forward as an inciter of demagogism, as a rallying sergeant for the cranks and the bribe-hunters. You letting yourself be used by men who are trying to force Jim Neal to pay them for their votes!"

The words were insulting enough; the tone was insult itself. Clarke was stung to fury. "That is false, Mr. Bushrod, and you can't but know it's false. You can't but

know that, but for me, Neal's scheme of bribery would have gone through. Why, he with his record couldn't get a vote in the Legislature without paying for it—directly or through the machine."

Bushrod's anger changed from dangerous hot to more dangerous cold. "Then it's true, is it?" he said calmly. "I've been hoping there was some mistake. Very well. I must request you to leave my house, sir, and not to return until you have undone the mischief you did this morning."

He bowed coldly. Clarke, pale and red by turns, moved hesitatingly toward the steps. It suddenly came to Bushrod that this high-handed anger, virtuous and loyal and altogether correct as a pose, was hardly the way best to serve Jim Neal's interests. After all, Jim Neal wanted the senatorship more than he wanted an exhibition of his editor's fidelity. And this young hothead happened by strange chance to have it in his power to give or to withhold the senatorship.

"One moment, Andy," he said, in a milder voice.

Clarke wheeled round eagerly.

"Take my word for it, Jim Neal is all right—is exactly the right man—at least, is the best we can hope to get at this juncture. I admit he isn't *ideal* from our standpoint. But the wise way is to take the best possible. Take my word for it, Neal is upright and is friendly to *our* kind of thing. I assure you, the stories about him are false. I have had them investigated again and again. If there had been truth in them, wouldn't I have published it in the *Gazette*?"

Clarke's eyes fell. His cheeks reddened with shame for the man he had up to this time believed in. Evidently Bushrod did not yet know that the secret of Jim Neal's ownership of the *Gazette* was out. He stammered:

"I—I—really, I can't discuss this with *you*, sir. I'm doing what I believe to be right. I can't do otherwise. You don't realize what has occurred—how much has come out. In a day or two you'll realize—and will think less harshly of me."

Editors—like preachers and doctors and judges and school-teachers and all those not in the habit of being "answered back"—resent opposition as insult. Bushrod, the great editor, the lord high judge of public men and affairs, was so enraged by this moderate but unflinchingly firm reply that he could not trust himself to speak.



"I can't believe, sir," Clarke went on, "that you would condemn me for doing what I honestly thought—"

"Nonsense!" cried Jessica's father. "Trash! Stuff! You are being fooled by a low appetite for notoriety, by the flatteries of the rascals who are using you to blackmail Neal."

Clarke, suddenly appalled by the thought of Jessica, a thought that took the form of an illusion of her presence before him, the form of a delusion of the touch of her fingers and her lips—checked the swift and crushing retort that rose to his tongue's end. "I can't talk about this now, sir," he said pleadingly. "All I ask is that you suspend judgment."

"If Neal loses the senatorship through you, Clarke," replied Bushrod, "all relations between you and my family cease. Jessica would as soon think of murdering her uncle as of marrying a man who had brought humiliation and bitter disappointment upon him."

"She and I love each other," cried the young man proudly, as if he were repelling an attack upon her. "Nothing can come between us. She is a pure and noble girl. She will only cling the closer because I do what I have to do to keep my self-respect, even though she thinks I am mistaken."

Bushrod turned, stood in the doorway, called into the house: "Jessica! Jessica!"

The girl came in a moment, stood beside her father, looking laughingly and lovingly at her sweetheart. She was indeed the incarnation of love—a bewitching incarnation that made duty and morality, right and wrong, all such abstractions for theological hair-splittings, seem dull and faded of eye and face and mortuary of breath and touch. Said she gaily:

"Papa has talked you round! I knew he would. The idea of *your* voting against Uncle Jim!"

Just then—why he could not have said—Clarke had a vision of this delicate,

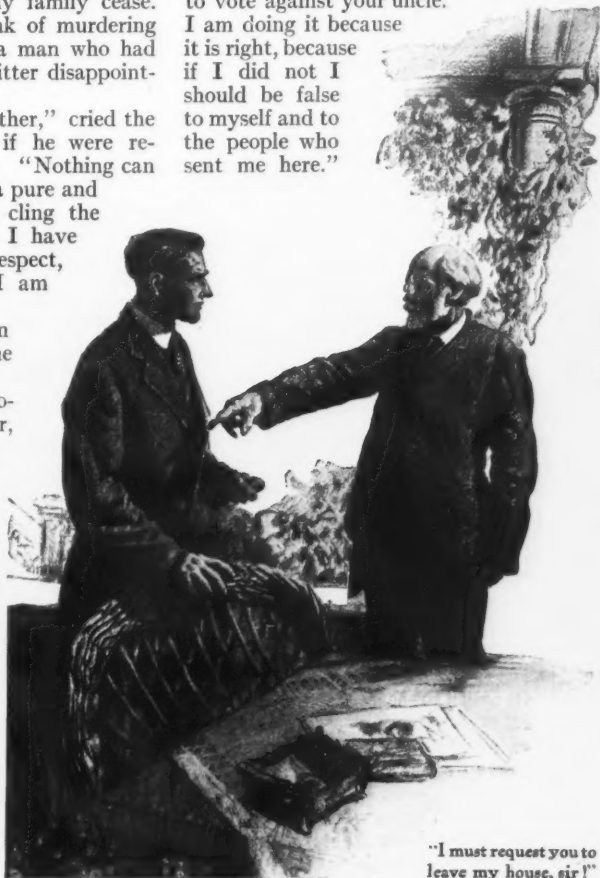
refined, sensitive girl kissing licentious old Jim Neal, redolent of whiskey, coarse of speech, with tobacco juice always staining his lips—this supposedly sensitive girl kissing those lips without offense, indulging in studied familiarities of appeal to a bad old man—caresses that all at once seemed to him certainly not genuine, certainly inspired by a covert mercenary motive. He shuddered and shrank in horror from his own foul suspicion.

Bushrod was saying sarcastically: "Jessica, this young man insists on working with the rascally enemies of your uncle. And he says you will stand by him and will only care for him the more."

"Oh, but you're mistaken, father," cried she. "Andy wouldn't do that."

"Jessica," said Clarke gravely, "I have to vote against your uncle."

I am doing it because it is right, because if I did not I should be false to myself and to the people who sent me here."



"I must request you to leave my house, sir!"



"You are a fool!" cried Bushrod, who, curiously, felt that this was a personal insult, was a savage innuendo.

Clarke looked at the father with fine dignity. "You are probably right, sir," said he. "I am ruining myself, I guess. But do it I must." He turned to Jessica again. "You heard what I said, dear. I shall say only two things more: I love you—with all my heart. I release you, for I have nothing but love to offer you—and I can't stand in your way."

Jessica burst out crying and flung herself into his arms. Bushrod leaned forward to snatch her away. Pressing her head against the young man's cheek so that he could not turn his head and see her expression, she frowned at her father and gave a glance toward the door that was full of significance. Bushrod, appreciating that he had a daughter worthy of him, desisted and went quickly and softly away. Then Jessica disengaged herself and said tenderly:

"Andy, dear, you've got to choose between my love and your voting for uncle. Which shall it be? I know what you'll answer, for you love me as I love you."

Clarke flung out his arms in a wild gesture. "I can't, Jessica. Trust me!"

"If you love me, you'll do it."

"God help you, Jess, if you ever fall into the hands of a man who will do such things for love of you. God help you—and him."

His tone made her eyes open wide. She drew back. "You don't *really* refuse?" she said breathlessly.

He looked at her in dumb appeal, but with resolution unchanged.

She expelled her breath in a long sigh. "And I thought you loved me!"

He made an impulsive movement toward her. She shrank.

"Don't touch me, please," she said. "I was going to give *myself* to you, and you wouldn't do anything for me—except insult me by attacking my uncle." Her eyes blazed, then gazed coldly at him. "I am beginning to hate you."

"Jess!"

"I never wish to see you again. I've found you out."

And calm and dry of eye she entered the house, closing the doors in his face.

That evening Clarke went into the bar of the hotel where he was stopping for the session. He took a drink to steady his

nerves—one drink. But Rud's friend, the bartender, was ready for him. When he came to he was in a cell in the station house, locked up with the rest of the captures in a raid on about the worst dive in the capital. And that morning all the papers of the state blazoned the story of the "chance uncovering of a smooth young hypocrite of a reformer."

But he faced the storm. He defeated Jim Neal. The most that Neal could do was to throw the place he coveted to a disguised creature of his, the eloquent champion of the people against privilege and plutocracy, Abraham S. Harrow. You have read his speeches and have been thrilled by them. Clarke, returning home in disgrace, told the whole story to his old friend, Judge Tevis.

"And she hasn't written to you?" said the judge.

"She has sent back everything. She's in Chicago. I hear she's engaged—to a son of one of Neal's railway associates."

"Hem," said the judge.

"Oh, she's done with me," retorted Andy.

"I'm afraid not," said the judge. "I hope so, but—" He shook his head.

"You don't know *her*," said Andy.

"Well, boy," said the old judge reflectively, after a pause, "fate has mighty queer ways of doing a strong man a good turn. No matter what comes to you as a result of that fight against Neal, you will have the best of it; for if it hadn't been for all this, you'd have married the girl."

"I wish I could see that," said the haggard young man.

"You *do* see it," replied the judge. "But you don't feel it. A year from now you will."

"I'll never stop wanting her," said Andy.

"Probably not. We men are made that way. But after a year you'll also never stop being glad you haven't got her."

Clarke rose wearily. A dejected-looking young man he was, but neither despairing nor broken. "Oh, I'll live through it," he said. "I guess a man can stand anything he's got to stand. I'll distract my mind by hard work. There's my reputation to be won back—and that's a job. Then there's the girl to forget—and that's—" He did not finish, but turned listlessly away.

The judge looked after him, and when he had long been gone, said aloud to the framed lithograph of Oliver Morton on the opposite wall:

"Yes, he might forget her—if she'll let him. If she'll let him."



# R o o t

Root—a part of the body of a plant which, typically, grows downward into the soil, fixes the plant and absorbs nutriment.—Century Dictionary.

By Alfred Henry Lewis

SENATOR ROOT—the Honorable Elihu Root—is longing and “legging” to be made Chief Justice of the Supreme Court. Clisthenes invented ostracism for the Athenians. What we need is an amendment to the Constitution providing for an American ostracism. There are a score or more of men of whom it might be said that were they excluded from these shores, refused the right to hold property, debarred our courts, the prospects of American liberty would brighten like unto the sun.

Recurring to the Honorable Elihu: As I’ve stated, he hungers and thirsts to be given the chiefship of the Supreme Court. Also, there is shrewd reason for fearing that President Taft will name him. Indeed, that disaster may have overtaken us by the time this is read, and Mr. Root be already wearing that robe of black—excellently well chosen, that color—for which he yearns.

First Mr. Hughes, then Mr. Root. What dark designs are afoot concerning our Supreme Court? The question is a serious one, and a threatened public should consider it. Have our “Wealthy Criminal Class” pitched upon that tribunal as

the last defensive ditch in their war with the people? Is it for that they seek to man it with their surest soldiers?

These questions are not asked in any spirit of reckless ribaldry. Rather I set them down in as cold a manner of history as aught ever penned by old Bishop Burnet. There are, I know, deferential ones who seem shocked if one but speak the plain, familiar truth of our holders and would-be holders of high office.

For myself, I see no reason why the judiciary should not be

as fair a subject for canvass as either the executive or the legislative branch of government.

From President to pathmaster men are vastly alike. No one, morally or mentally, is very far ahead or far behind. I’ll guarantee to cover humanity with a horse-blanket—the herd is so closely bunched. As for your judges—go ask any tailor. He’ll tell you he puts as many pockets in a judge’s suit of clothes as in the raiment of commoner men.

It will be the great error of Mr. Taft’s administration, the one longest remembered and most mercilessly condemned, should he raise Mr. Root to the chief-justiceship. Aside



LARGE PORTRAIT COPYRIGHT BY HARRIS & SHING

“Mr. Root was not meant by Providence to adorn a republic. From republican standpoint, he is a misfit, a solecism.”



from that gentleman's ill emanation and what vicious influences surround him and are urging him, Mr. Root himself is congenitally unfit for the place. Mr. Root knows law, but he doesn't know humanity. His mind is not a man's mind, but a lawyer's mind. He is not, in the sense of a Jefferson or a Washington, what the world calls a patriot. When he holds office, the country at best is no more than his client. Also, no attorney dies for his client, or loses money for his client.

Ever and always the lawyer, never the statesman or patriot, being regularly retained Mr. Root would not scruple to file a petition in chancery praying that the Declaration of Independence be adjudged void, because improperly signed, sealed, and delivered, or Yorktown set aside as brought about by duress. Wanting every impression of the popular, unable to soar above the musty levels of mere law, incapable of aught broader than a personal interest, were he to consider Bunker Hill he would be addressed by no question of natural right, but devote himself to fixing the status of that celebrated engagement as an exaggerated form of riot by terms of the Act. What it meant to the hopes and hearts and hearths of men would never enlist him. What it meant in law would altogether swallow him up. Posterity? Outside of will-drawing, Mr. Root could never bring himself to consider it. He who would be a judge should surely be a lawyer. More, however, he should surely be a Man. There are laws not made by man above all man-made law. Who was it said, "He who taketh the law of the land for his sole guide is neither a good neighbor nor an honest man"? Was he not also a judge?

What a man was in the sapling he is in the tree. Also, the leopard cannot change his spots nor the Ethiopian his skin. At most they may no more than hide these features beneath a robe of black. Is humanity, beset of the trusts, to take its captains from the ranks of the enemy? Is honest commerce to be made safer by calling a pirate to the quarter-deck?

For whom and for what has Mr. Root striven? His employment has been on the side of those public enemies, the black-flag trusts. He has been the best of trust pilots. He knows every law-reef, every sunken rock of statute. It was his trade to stand off and on in the lower bay of trust iniquity. When

a criminal company approached the narrows of some villainy, and possible trouble lay dead ahead, it signaled Mr. Root. He went aboard. Knowing every inch of channel, having as a lawmaking politician assisted in dredging, widening, deepening it, he brought safely in that corsair trust.

Considered from angles of public interest, Mr. Root has all his life stood snout for tail. As a lawyer he has been fertile, sagacious, and made a specialty, not of enforcing law but of turning its flanks. They tell down in Tennessee that the three requirements of a legal fence are that it must be horse-high, hog-tight, bull-strong. There was never the statute fence which could be called Root-high, Root-tight, Root-strong. What he couldn't crawl through he jumped; what he couldn't jump he pushed down. Do you think that making him Chief Justice would reverse his true nature; overturn and uproot his whole habit of thought?

What names and what influences are demanding the woosack elevation of Mr. Root? To ask another question should be to answer that. Who pushed him for his present Senate seat? Whom did that assumption of a toga please? Whom, indeed, but Mr. Rockefeller, Mr. Carnegie, Mr. Ryan, Mr. Archbold, Mr. Stillman, and every other "robber baron" of the Hudson, which is the American Rhine. The hands now laboring to seat Mr. Root on the Supreme bench are the hands that obtained for him his place in the Senate. Republics may be heedlessly ungrateful; money, black-flag money, never is.

There are those who will insist that Mr. Root is "honest, able, and intelligent." Leaving that issue unsettled, they at least cannot deny his trust employment. In that dubious connection, let me tell them a story. Once upon a time a farmer owned a coop of priceless leghorns. "I must get an honest, able, and intelligent dog," said he, "or some thief will steal these chickens." He got the dog—honest, able, and intelligent—and tied him to the hencoop door. The next morning every leghorn was gone. The dog was there, honest, able, and intelligent, and seemed to wag tail of approval over the profundity of that coop-emptiness. Amazing! Astonishing! And yet, understandable enough to the farmer when, upon backtracking the wonder of it, he learned that the man who stole his leghorns was the man who sold him the dog.



In his heart Mr. Root doesn't like holding office. The fact that he asks for this judgeship should of itself excite suspicion. Mr. Root accepted his place in the Senate with the utmost reluctance. What then was the impulse which moved him?

Honor? No one comes from the head of a cabinet to the heel of the Senate in search of honor, more than one digs in the earth for stars.

Money? Mr. Root's income as a practising trust pilot was \$300,000. The salary of a senator is but \$7500.

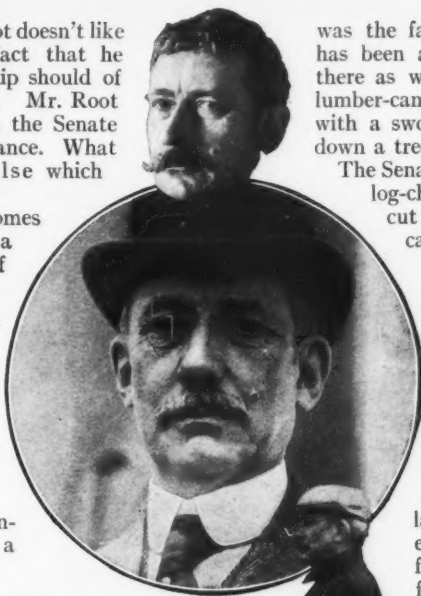
Ambition? The Senate has ever been a political morgue.

Why then is he there? Because he was told to go. Who told him to go? When you find those whom his Senate votes have benefited, you will have found a reply to the last. *Nota bene:* His votes did not benefit the people. Those same influences that sent him to the Senate are now demanding for him that chief-justiceship. And he is willing. It is better to be one of nine than one of ninety-six, and a chief justice is more powerful than a senator.

Mr. Root was never fitted for the Senate—a truth which, before he took his seat, had not come to his notice. It has been a case of a square peg in a round hole, and those who placed him there as well as he himself are disappointed in his work. Not that his Senate failure

was the fault of Mr. Root. He has been as much out of place there as would be a sword in a lumber-camp. You can kill a man with a sword, but you can't cut down a tree with it.

The Senate in its labors calls for log-chains, crowbars, cross-cut saws, chopping-axes, cant-hooks. The work is rude, coarse, rough, and weight counts for more than dexterity. Men whom Mr. Root would have defeated across a trial table, or out-intrigued in a cabinet, catch him on some sidehill of the Senate and go over him like a landslide. This, by sore experience, Mr. Root has found out, and it worries, frets, and sweats him. For, be it known, he is not without his vanities. Thus he would get out of the Senate for a seat on the bench, where his importance will be

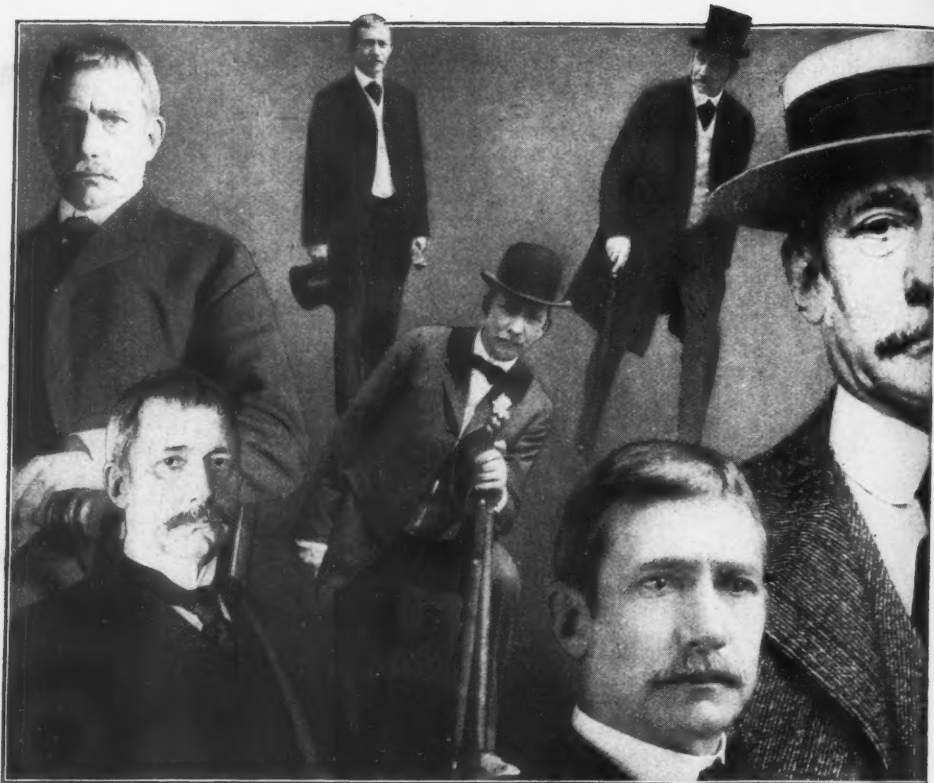


Elihu Root at "Billy" Muldoon's health-shop



"If he has sympathies, he suppresses them; if he feels an impulse to be confidential, he beats it down. Also, he was never charged with benevolence, tenderness, charity, patriotism, or letting a dollar get away."





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"Many a skull-and-cross-bones trust is abroad upon the seas of commerce, making prizes Root, would have gone crashing to

advanced and his peculiar genius find a safer, more congenial theater in which to expand.

Mr. Root, asking to be made Chief Justice! It is a woodpile, and there's a Senegambian, a trust Senegambian, in it. Upon that I stake my fame as a prophet of politics.

Who is Mr. Root, that he would become the modern John Marshall? Native to the New York soil, Oneida County produced him. His father was Professor Oren Root, who held the chair of mathematics at Hamilton College. All this was in the town of Clinton, year 1845.

At twenty Mr. Root teaches school in the little village of Rome. You note, perhaps, in connection with that date, a want of Rootian eagerness to go South and fight the battles of his country. Seventeen in 1862, lithe as a hickory sapling and as healthfully sound, there was no argument for keeping Mr. Root at home beyond the argument that he didn't want to go. Boys by brigades,

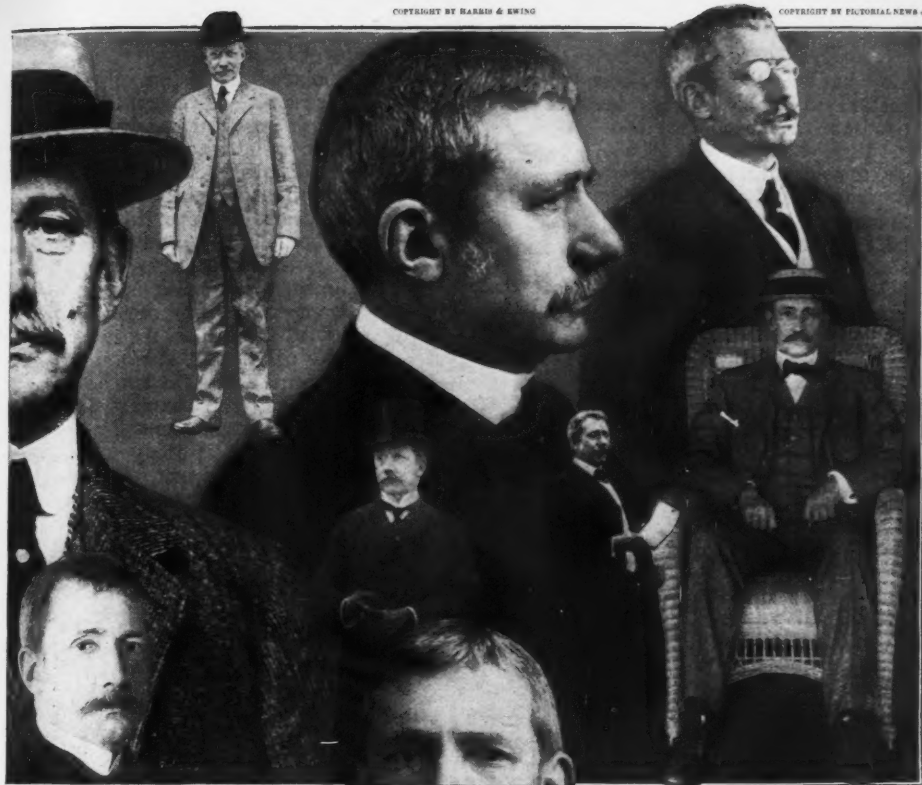
by army corps, boys younger than himself, were marching and fighting and dying round the flag. For him, however, war had no charms, battle no allurements. All of which is a peaceful feature that the life-history of every money-maker never fails to possess. The warrior is never the business man. By the same token, the business man is never the warrior, and—to steal from Falstaff—"would as soon hear the devil as a drum." Show me a natural-born soldier, and I'll show you a natural-born poor man. There is a repulsion between pound-weights and cannon-balls, sabers and yardsticks, and your Rockefellers, your Carnegies, your Morgans, and your Roots ever loathe the smell of powder.

Mr. Root was twenty-two when, as a full-fledged lawyer, he sat down to practise at the New York bar. There was little or less money in his pocket. This so affected him that he thankfully accepted a malodorous retainer from Boss Tweed. That



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and rolling gunwale deep with evil gold, which, wanting the headful seamanship of Pilot  
its long-ago death upon the law-rocks"

public robber had been swept up in the law-storm which broke upon him in the early seventies to cast him finally a wreck upon the rocks of Ludlow. Assuredly Mr. Root would do nothing of that muddy kind today. Not from moral scruples, but because such mean employment wouldn't pay. The trusts, to be sure, are quite as criminal as was any Tweed. But they have a respectable vogue which the ruder criminal lacked. In his callow twenties, however, clients scarce and pockets lean, Mr. Root was as pleased as Punch to find himself among Tweed's junior counsel; and, while he met with a dash of harshness from Judge Davis, who conceived him to be at one time in contempt, he joyfully accepted six city lots as his fees, upon one of which, I'm told, he lives to-day.

As a counterpoise to that Tweed connection, possibly, Mr. Root joined the church. The church was "respectable"; the church led to business. Mr. Root, in that earnest

haste to be religious, was not unique. We have all read how "the congregation of hypocrites shall be made desolate, and fire shall consume the tabernacle of bribery"; we have been told how "they conceive mischief, and bring forth vanity, and their belly prepareth deceit." Wherefore we are not amazed when we observe that our rich and "respectable" rascals are over-prone to profess religion. It helps save them from prosecution, and they'd sooner go to church than go to jail. They make of the altar a first line of defense.

As a young man Mr. Root owned a bent to be thorough. Incessant, steady, a kind of machine-man, he has plowed an undeviating, unremitting furrow. Born for law, not humanity, he has shown himself a wizard of spun-glass technicalities, and like a skilful wrestler tripped up many of strength greater than his own. From the hour when he set up lawyer, he directed his existence with the single thought of his own betterment. His



career has been the climax of care, the sublimation of prudence. He invested his friendships as some men invest their gold. And he fell a prey to no dreams, threw away no precious time. And all for money.

Mr. Root, in the name of money, made a cult of conservatism. He stuck to beaten paths. And even then he would not go forward unless they had been graded and asphalted. He never assailed the past, never criticized the present, never prognosticated the future. He had feelers, like a snail, and drew back from everything resembling the positive. He everywhere carried an "If" in his mouth, and never laid it down save to take up an "Or."

Mentally Mr. Root is whiskered like a cat, and cannot be coaxed into thought-rift or thought-pass so narrow that those whiskers touch either wall. Whether in his gold-getting or his place-getting, he must always have room—room to advance, room to retreat, room to jump sidewise. Likewise, being feline, he likes to see an occasional tree—one of low, commodious bough—dotting here and there the landscape, to the end that he may climbably take to it should his need become dire. And yet you are to infer no cowardice. What I record is but the working of his inborn stealth and cunning.

Now I bethink me, I have never yet gazed sharply into the countenance of any man

but that it reminded me of some fish or bird or beast or reptile—as though the old Greek were right, and we had worn other shapes in other rear-lived lives. I've met faces that were blood-brothers to bears, to foxes, to sheep. Other folk there were who had parrot-faces, or eagle-faces, or broad, wise-seeming faces like empty owls. Still others suggested the catfish, the mullet, the pike. Mr. Root is the human pickerel. See how he lies slyly hidden in the shadow of

some secret lily-pad of policy—silent, cuiescent, scarce moving a fin! A fly—a fly of place or profit—strikes the surface of the pool! There is a darting flash, a swirl, a gulping! The fly is snapped up! And there again lies pickerel Root, under the safe shadows of those waiting lily-pads, in anxious ambush for another fly.

Aside from darting, wide-mouthed qualities of a pickerel voracity, Mr. Root is as slippery as any eel. All who sought to fix him to either a principle, a course, or a fact, found him like an eel—as elusive as any shadow. Like the eel, too, in whatever of politics or business engaged him, he lay hugging the bottom. They had to draw off all the water in the pond before locating lamprey Root—draw off all the water and then poke about in the ooze.

For reasons greatly resembling those which taught him to invest in a hymn-book, the Book of Common Prayer, and to go to church,



"What a man was in the sapling he is in the tree. Also, the leopard cannot change his spots nor the Ethiopian his skin"





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Mr. Root joined the Union League Club. To him who would make one hand wash the other in law and politics, the Union League is a lavatory of consequence. His thoughts upon his pocket, his eye upon himself, Mr. Root went into the Republican party and, per incident, the Republican Club. Thus did he deepen his roots, broaden his branches.

Because it was the "respectable" thing to do, while calling himself a Republican, Mr. Root went off at a gracious slant toward mugwumpery. A mugwump is one who, blind to the beam in his own eye, is keenly alive to the mote in the eye of the man next door, and insists upon it as his bounden duty to seize upon that moted one and, whether he will or he won't, bear him victoriously off to an oculist. Mr. Root's reformatory spirit would express itself in urging the Sunday closing of saloons. It never carried him to such egregious lengths as advocating shutting off the flow of beer and wine and whiskey at the Union League and Republican clubs. What is sauce for the poor man's goose is



"Born for law, not humanity, he has shown himself a wizard of spun-glass technicalities, and like a skilful wrestler tripped up many of strength greater than his own. Is this the man you should have at the head of your Supreme Court?"

not sauce for the rich man's gander, in the political and social theologies of Mr. Root.

Going back to those earlier days, as Mr. Root in the seventies sat wondering where his next day's dollar was coming from, Mr. Rockefeller—first in craft, first in greed, first in the contempt of his countrymen—was over in Ohio laying the criminal keel of Standard Oil. Then came the Sugar Trust. Then Mr. Morgan burst upon mankind with his "Morganizations," and Mr. Harriman with his "Harmonizations," which the sophisticated called "Harrimanizations." The huge present fleet of pirate trusts were launched at those old black-flag yards in Trenton. It was by these same trade picaroons that Mr. Root was to make his fortune. He did not care to become a trust-owner like those trade Blackbeards named. As I've said, he equipped himself for the post of pilot. Also there was none better. Many a skull-and-cross-bones trust is abroad upon the seas of commerce, making prizes and rolling gunwale deep with evil gold, which,



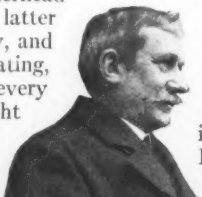
wanting the headful seamanship of Pilot Root, would have gone crashing to its long-ago death upon the law-rocks.

And yet, so unobtrusive, so capable of submersion, was Mr. Root that, although in the constant service of the Rockefellers, the Stillmans, the Havemeyers, the Morgans, and the Carnegies, it was only at long intervals he—a law submarine—appeared upon the surface of affairs. Indeed, one might never have heard of him in this dingy—but “respectable” because remunerative—connection had it not been for his year-in-year-out relations with that great hammerhead shark of money, Mr. Ryan. The latter in his very voracity was so clumsy, and made such a mess of his man-eating, that he attracted the attention of every soul along the beach. And, as might have been foreseen, his several pilot-fish—*videlicet*, Mr. Root, Mr.

Cravath, and others—came in with their hungry principal for unfavorable identification.

As I've told you, the trade of trust pilot is lucrative, and experienced ones place the annual fees of Mr. Root at full \$300,000. Think of that, ye honest, upright country practitioner on your two or three thousand a year! Mr. Root is worth it, however. He knows not alone the law, but the judges, having assisted as legislator, lobbyist, and politician in the production of both. Was it not the facetious Joseph Choate who said, “It is sometimes more important to know the judge than to know the law”?

Mr. Root's first office came from President Arthur, who made him United States District Attorney for New York. That was in 1883. In 1899 Mr. McKinley invited him to be secretary of war. He was in Mr. Roosevelt's cabinet



“There was never the statute fence which could be called Root-high, Root-tight, Root-strong. What he couldn't crawl through he jumped: what he couldn't jump he pushed down.

Do you think that making him Chief Justice would reverse his true nature, overturn and uproot his whole habit of thought?”



as war secretary, and resigned. Mr. Roosevelt coaxed him back in 1905 as secretary of state. Mr. Root thought he had been slated for a White House, or he wouldn't have come. Also, in the deeper corners of his cold heart, he has not forgiven Mr. Roosevelt that final preference for Mr. Taft.

Not but that the Ryans and the Rockefellerers also had an ax to grind. In that last engagement as cabinet-maker it was fondly expected by the trusts that Mr. Root would mount guard over the ebullient Mr. Roosevelt. But the task proved in the strenuous finale too much for his strength. It was as though a boy had been told to throw and hog-tie a well-grown young bull. Mr. Root got his rope on Mr. Roosevelt in finest cowboy style. The well-flung loop settled nicely about the White House horns, and fastened. After which, however, Mr. Roosevelt took charge. He dragged Mr. Root all over the pampas, and seemed to regard the rope, by which the tugging Mr. Root sought to stop him and throw him, as no more than just that bond of intimate friendship which joined them pleasantly together.

Personally, Mr. Root makes you think of cut glass or burnished steel. He has a chill courtesy that is like a puff of wind from off some sunlit field of ice. He has no nearnesses, no friendships, no confidences. With him every man falls into one of three classes—stranger, acquaintance, client; and the greatest of these is client. In what might be called his banks, he is both narrow and steep. That bank-narrowness, bank-steepness, gives depth and current to his nature. Were he wider, or with banks of easier slope, what nature he possesses—it is less than some think—would thin out into the futile, spread itself unprofitably about, accomplishing nothing, carrying nowhere, to end tricklingly by being lost in the sand. His strength appears only when he deals with circumstances, never when he deals with men.

Concealment, with Mr. Root, is by way of being an instinct. It's as though he were a living, breathing secret, clad in frock coat and trousers. This secrecy, which is like a fog or a cave or a midnight, and never lets you see, with the added quality—absent in caves or fogs or midnights—that it never lets you hear, has misled many in their estimates of Mr. Root. Some have mistaken that native secrecy for humility, others for modesty, still others—farthest

off of all—have said that he was timid. As well talk of the humility, the modesty, the timidity, of a fox. Mr. Root effaces himself, but not from humility; he retires, but not from modesty; he goes to and fro as silently as a shadow, but not from fear. One and all, he does these things fox-wise and by merest instinct of concealment. Alone and in the privacy of his own chamber, he is as silent, as shadowy, as woolfoot as in any avenue of crowded life.

His fortune? No one knows the money measure of Mr. Root. Were he to die, and his estate count up to millions, it would astonish no one. Were he to die, and it transpire that he was dollarless, no one would lift a brow. And the reason is that, while Mr. Root is one of those whereof you never hear anything, he is also precisely the sort of whom you're prepared to hear all things. It is his genius for secrecy that does it. Mr. Root could no more be open, frank, accessible, than a burglar-proof safe could be open, frank, and accessible. If he has sympathies, he suppresses them; if he feels an impulse to be confidential, he beats it down. Also, he was never charged with benevolence, tenderness, charity, patriotism, friendship, or letting a dollar get away.

The great characteristic of Mr. Root is his distrust of the public. You could no more get him to trust himself alone with the public than to thrust his hand into the fire. He did so once—that was years ago; Mr. Root ran for a judgeship, and the people wiped up the polls with him. He never invoked their suffrages again. What offices he has held he attained to appointively. When it comes to appointive office, those money-crats with whom he has ever been identified, and who understand him and are understood by him, are all he requires.

Mr. Root was not meant by Providence to adorn a republic. From republican standpoints, he is a misfit, a solecism. Something of this became apparent when, in 1894, he was a delegate to the State Constitutional Convention. He drew a clause in the constitution which, by limiting the possible Albany representation in the case of any county, operates to the partial legislative disfranchisement of the city of New York. If Richmond, Queens, Kings, New York, and Westchester, being the counties carrying the city of New York, were to see a day when their populations aggregated 50,000,000 of people, and a count of noses for



all the other counties of the state gave no more than 5,000,000, still the latter would have a greater representation than the former in the Albany Legislature. Could anything be less in keeping with the spirit of this country? It is, however, in perfect keeping with the spirit of Mr. Root. If he might, he would have the public before some surrogate, ask that a guardian be appointed for its person and property, and rule it as should be ruled a half-spoiled child of bad temper and worse tendencies. Is this the man you should have at the head of your Supreme Court?

The great mass of humanity, Mr. Root knows nothing about. As a problem, he cannot solve the herd. He looks upon the herd as a threat, a cloud in the sky, a storm coming up which will one day break in some Americanized form of the French Revolution. He doesn't trust the public; he watches it, guards against it, traps it, fools it, ignores it when he can, misleads it when he can't. He disbelieves in the common intelligence, doubts and denies the common heart. Like Lord Chesterfield, he thinks the public "seldom right and then only for a wrong reason." He would have dovetailed most virtuously with that monarchical federalism which flourished about John Adams over one hundred years ago. There isn't a single proposition upon which he and Andrew Jackson could have come together. The doors of his nature are closed and bolted and barred against every lesson of the popular.

Life in Washington, while he played cabinet man to Mr. Roosevelt, was distinguished of one feature delightful to Mr. Root. If he has a weakness, it is a licking, purring pleasure in being flattered. He likes flattery, just as a cat likes to have you stroke its back. It is capital fashion to flatter all cabinetiers. You are told tales of the hard work done by cabinet folk; you hear of them panting, all but dying, staggering forth from their arduous posts to take a rest. It's all moonshine on the water. Of all the idlers in idle Washington, your portfolioist is the idlest. And, so far as the public service is involved, the least important. Have you not seen your cabinet men abandon their desks for weeks on end? Did you observe any jar or jolt in the running of government because of those abandonments? When a man's absence is not disastrous, his presence is not important.

It was by virtue of these graceful exaggerations that Mr. Root gained the name of an "overworked cabinetier." It should have been enough to calm the palpitant heart of snobbish sympathy that, whatever War or State Department burdens he groaned under, he still found strength and space to look after and gather in that \$300,000 of annual pilot fees. Three hundred thousand dollars! And yet Mr. Root would lay it down for what a chief justice receives! In the face of such self-sacrifice, who shall say that the spirit of true patriotism is dead in the land?

Both as senator and politician, Mr. Root ever advocated protection. This latter is a tariff device, favored of our very rich, by which one man keeps thousands of men working to fill his pockets while thinking they are filling their own. Mr. Root has fought for it, is fighting for it. Not that for doing so I particularly blame Mr. Root. Such doctrine is in keeping with the dull-eyed day he lives in. It is not wise nor even safe to be either worse or better than one's day. To be better than one's day is to go to the poorhouse; to be worse is to go to jail.

In all things—politics, religion, law—Mr. Root proceeds on lines of least resistance. He goes with the current, never against it. There's more water down stream than up. Besides, who wouldn't sooner drift all day than pull an oar an hour? In no sense is Mr. Root a trouble-hunter. Both in politics and law he guides by the Scotch proverb, "Better fleece a fool than fight him." He gives way to no raptures, nurses no sentimentalisms. Shown a lump of gold and a calla lily, he admires the gold. He has but one fad—money; one ambition—to get it. He never frowns and always beams, and would strip the coat from your back, the bed from beneath you, with a kindly albeit chilly smile. He is trustworthy—to the extent of his own interest. He is honest—while it pays. He is against all illicitisms—in the proceeds whereof he has no share. He is a true friend—to himself. He has ever cut that figure in public matters that a rat cuts in meal-tub matters. And whether you raise him to a chief-justiceship, or a presidency, or continue him a simple senator, his character will remain the same to the end of the chapter. You could no more change him in that discouraging particular than you could get a rich man into heaven without a suspension of the rules.



# The Silent Bullet

SECOND OF THE SERIES OF UNIQUE MYSTERY STORIES.  
IN THIS STORY A FAMOUS TRAGEDY IS DISSECTED BY  
CRAIG KENNEDY, THE PROFESSOR OF CRIMINAL SCIENCE

By Arthur B. Reeve

*Author of "The Case of Helen Bond"*

Illustrated by Will Foster

"DETECTIVES in fiction nearly always make a great mistake," said Craig Kennedy one evening after the successful unraveling of the Fletcher will case. "They almost invariably antagonize the regular detective force. Now in real life that's impossible—it's fatal."

"Yes," I agreed, looking up from reading an account of the failure of a large Wall Street brokerage house, Kerr Parker & Co., and the peculiar suicide of Kerr Parker. "Yes, it's impossible, just as it is impossible for the regular detectives to antagonize the newspapers. Scotland Yard found that out in the Crippen case."

"My idea of the thing, Jameson," continued Kennedy, "is that the professor of criminal science ought to work with, not against, the regular detectives. They're all right. They're indispensable, of course. Half the secret of success nowadays is organization. The professor of criminal science should be merely what the professor in a technical school often is—a sort of consulting engineer. For instance, I believe that organization plus science would go far toward clearing up that Wall Street case I see you are reading."

I expressed some doubt as to whether the regular police were enlightened enough to take that view of it.

"Some of them are," he replied. "Yesterday the chief of police in a Western city sent a man East to see me about the Price murder—you know the case?"

Indeed I did. A wealthy banker of the town had been murdered on the road to the golf club, no one knew why or by whom. Every clue had proved fruitless, and the list of suspects was itself so long and so impossible as to seem most discouraging.

"He sent me a piece of a torn handkerchief with a deep blood-stain on it," pursued Kennedy. "He said it clearly didn't belong to the murdered man, that it indicated that the murderer had himself been wounded in the tussle, but as yet it had proved utterly valueless as a clue. Would I see what I could make of it?"

"After his man had told me the story I had a feeling that the murder was committed by either a Sicilian laborer on the links or a negro waiter at the club. Well, to make a short story shorter, I decided to test the blood-stain. Probably you didn't know it, but the Carnegie Institution has just published a minute, careful, and dry study of the blood of human beings and of animals. In fact, they have been able to reclassify the whole animal kingdom on this basis, and have made some most surprising additions to our knowledge of evolution. Now I don't propose to bore you with the details of the tests, but one of the things they showed was that the blood of a certain branch of the human race gives a reaction much like the blood of a certain group of monkeys, the chimpanzees, while the blood of another group gives a reaction like that of the gorilla. Of course there's lots more to it, but this is all that need concern us now."

"I tried the tests. The blood on the handkerchief conformed strictly to the latter test. Now the gorilla was, of course, out of the question—this was no *Rue Morgue* murder. Therefore it was the negro waiter."

"But," I interrupted, "the negro offered a perfect alibi at the start, and—"

"No buts, Walter. Here's a telegram I received at dinner: 'Congratulations. Confronted Jackson your evidence as wired. Confessed.'"

"Well, Craig, I take off my hat to you,"



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I exclaimed. "Next you'll be solving this Kerr Parker case for sure."

"I would take a hand in it if they'd let me," said he simply.

That night, without saying anything, I sauntered down to the imposing new police building amid the squalor of Center Street. They were very busy at headquarters, but, having once had that assignment for the *Star*, I had no trouble in getting in. Inspector Barney O'Connor of the Central Office carefully shifted a cigar from corner to corner of his mouth as I poured forth my suggestion to him.

"Well, Jameson," he said at length, "do you think this professor fellow is the goods?"

I didn't mince matters in my opinion of Kennedy. I would have told him of the Fletcher case, only of course I was pledged to secrecy, so I told him of the Price case and showed him a copy of the telegram. That settled it.

"Can you bring him down here to-night?" he asked quickly.

I reached for the telephone, found Craig in his laboratory finally, and in less than an hour he was in the office.

"This is a most baffling case, Professor Kennedy, this case of Kerr Parker," said the inspector, launching at once into his subject. "Here is a broker heavily interested in Mexican rubber. It looks like a good thing—plantations right in the same territory as those of the Rubber Trust. Now in addition to that he is branching out into coastwise steamship lines; another man associated with him is heavily engaged in a railway scheme from the United States down into Mexico. Altogether the steamships and railroads are tapping rubber, oil, copper, and I don't know what other regions. Here in New York they have been pyramiding stocks, borrowing money from two trust companies which they control. It's a lovely scheme—you've read about it, I suppose. Also you've read that it comes into competition with a certain group of capitalists whom we will call 'the System.'"

"Well, this depression in the market comes along. At once rumors are spread about the weakness of the trust companies; runs start on both of them. The System, —you know them—make a great show of supporting the market. Yet the runs continue. God knows whether they will spread or the trust companies stand up under it to-morrow after what happened to-day.

It was a good thing the market was closed when it happened.

"Kerr Parker was surrounded by a group of people who were in his schemes with him. They are holding a council of war in the directors' room. Suddenly Parker rises, staggers toward the window, falls, and is dead before a doctor can get to him. Every effort is made to keep the thing quiet. It is given out that he committed suicide. The papers don't seem to accept the suicide theory, however. Neither do we. The coroner, who is working with us, has kept his mouth shut so far, and will say nothing till the inquest. For, Professor Kennedy, my first man on the spot found that—Kerr—Parker—was—murdered.

"Now here comes the amazing part of the story. The doors to the offices on both sides were open at the time. There were lots of people in each office. There was the usual click of typewriters, and the buzz of the ticker, and the hum of conversation. We have any number of witnesses of the whole affair, but as far as any of them knows no shot was fired, no smoke was seen, no noise was heard, nor was any weapon found. Yet here on my desk is a thirty-two-caliber bullet. The coroner's physician probed it out of Parker's neck this afternoon and turned it over to us."

Kennedy reached for the bullet, and turned it thoughtfully in his fingers for a moment. One side of it had apparently struck a bone in the neck of the murdered man, and was flattened. The other side was still perfectly smooth. With his inevitable magnifying-glass he scrutinized the bullet on every side. I watched his face anxiously, and I could see that he was very intent and very excited.

"Extraordinary, most extraordinary," he said to himself as he turned it over and over. "Where did you say this bullet struck?"

"In the fleshy part of the neck, quite a little back of and below his ear and just above his collar. There wasn't much bleeding. I think it must have struck the base of his brain."

"It didn't strike his collar or hair?"

"No," replied the inspector.

"Inspector, I think we shall be able to put our hands on the murderer—I think we can get a conviction, sir, on the evidence that I shall get from this bullet in my laboratory."

"That's pretty much like a story-book,"



drawled the inspector incredulously, shaking his head.

"Perhaps," smiled Kennedy. "But there will still be plenty of work for the police to do, too. I've only got a clue to the murderer. It will tax the whole organization to follow it up, believe me. Now, Inspector, can you spare the time to go down to Parker's office and take me over the ground? No doubt we can develop something else there."

"Sure," answered O'Connor, and we slid down in one of the department automobiles.

We found the office under guard of one of the Central Office men, while in the outside office Parker's confidential clerk and a few assistants were still at work in a subdued and awed manner. Men were working in many other Wall Street offices that night during the panic, but in none was there more

reason for it than here. Later I learned that it was the quiet tenacity of this confidential clerk that saved even as much of Parker's estate as was saved for his widow—little enough it was, too. What he saved for the clients of the firm no one will ever know. Somehow or other I liked John Downey, the clerk, from the moment I was introduced to him. He seemed to me, at least, to be the typical confidential clerk who could carry a secret worth millions, and keep it.

The officer in charge touched his hat to the inspector, and Downey hastened to put himself at our service. It was plain that the murder had completely mystified him, and that he was as anxious as we were to get at the bottom of it.

"Mr. Downey," began Kennedy, "I understand you were present when this sad event took place."



"Well, Jameson," said Inspector O'Connor after I had poured forth my suggestion to him, "do you think this professor fellow is the goods?"



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"Yes, sir, sitting right here at the directors' table," he replied, taking a chair, "like this."

"Now can you recollect just how Mr. Parker acted when he was shot? Could you—could you take his place and show us just how it happened?"

"Yes, sir," said Downey. "He was sitting here at the head of the table. Mr. Bruce, who is the 'Co.' of the firm, had been sitting here at his right; I was at the left. The inspector has a list of all the others present. That door to the right was open, and Mrs. Parker and some other ladies were in the room—"

"Mrs. Parker?" broke in Kennedy.

"Yes. Like a good many brokerage firms we have a ladies' room. Many ladies are among our clients. We make a point of catering to them. At that time I recollect the door was open—all the doors were open. It was not a secret meeting. Mr. Bruce had just gone into the ladies' department, I think to ask some of them to stand by the firm—he was an artist at smoothing over the fears of customers, particularly women. Just before he went in I had seen the ladies go in a group toward the far end of the room—to look down at the line of depositors on the street, which reached around the corner from one of the trust companies, I thought. I was making a note of an order to send into the outside office there on the left, and had just pushed this button here under the table to call a boy to carry it. Mr. Parker had just received a letter by special delivery, and seemed considerably puzzled over it. No, I don't know what it was about. Of a sudden I saw him start in his chair, rise up unsteadily, clap his hand on the back of his head, stagger across the floor—like this—and fall here."

"Then what happened?"

"Why, I rushed to pick him up. Everything was confusion. I recall some one behind me saying, 'Here, boy, take all these papers off the table and carry them into my office before they get lost in the excitement.' I think it was Bruce's voice. The next moment I heard some one say, 'Stand back, Mrs. Parker has fainted.' But I didn't pay much attention, for I was calling to some one not to get a doctor over the telephone, but to go down to the fifth floor where one has an office. I made Mr. Parker as comfortable as I could. There wasn't much I could do. He seemed to want to say something to me, but he couldn't talk. He was paralyzed, at least his throat was.

But I did manage to make out finally what sounded to me like, 'Tell her I don't believe the scandal, I don't believe it.' But before he could say whom to tell he had again become unconscious, and by the time the doctor arrived he was dead. I guess you know everything else as well as I do."

"You didn't hear the shot fired from any particular direction?" asked Kennedy.

"No, sir."

"Well, where do you think it came from?"

"That's what puzzles me, sir. The only thing I can figure out is that it was fired from the outside office—perhaps by some customer who had lost money and sought revenge. But no one out there heard it either, any more than they did in the directors' room or the ladies' department."

"About that message," asked Kennedy, ignoring what to me seemed to be the most important feature of the case, the mystery of the silent bullet. "Didn't you see it after all was over?"

"No, sir; in fact I had forgotten about it till this moment when you asked me to reconstruct the circumstances exactly. No, sir, I don't know a thing about it. I can't say it impressed itself on my mind at the time, either."

"What did Mrs. Parker do when she came to?"

"Oh, she cried as I have never seen a woman cry before. He was dead by that time, of course. Mr. Bruce and I saw her down in the elevator to her car. In fact, the doctor, who had arrived, said that the sooner she was taken home the better she would be. She was quite hysterical."

"Did she say anything that you remember?"

Downey hesitated.

"Out with it, Downey," said the inspector. "What did she say as she was going down in the elevator?"

"Nothing."

"Tell us. I'll arrest you if you don't."

"Nothing about the murder, on my honor," protested Downey.

Kennedy leaned over suddenly and shot a remark at him, "Then it was about the note."

Downey was surprised, but not quickly enough. Still he seemed to be considering something, and in a moment he said:

"I don't know what it was about, but I feel it is my duty, after all, to tell you. I heard her say, 'I wonder if he knew.'"

"Nothing else?"

"Nothing else."





The pocket on the right-hand side was scorched and burned, and a hole was torn clear through it

"What happened after you came back?"

"We entered the ladies' department. No one was there. A woman's automobile-coat was thrown over a chair in a heap. Mr. Bruce picked it up. 'It's Mrs. Parker's,' he said. He wrapped it up hastily, and rang for a messenger."

"Where did he send it?"

"To Mrs. Parker, I suppose. I didn't hear the address."

We next went over the whole suite of offices, conducted by Mr. Downey. I noted how carefully Kennedy looked into the directors' room through the open door from the ladies' department. He stood at such an angle that had he been the assassin he could scarcely have been seen except by

those sitting immediately next Mr. Parker at the directors' table. The street windows were directly in front of him, and back of him was the chair on which the motor-coat had been found.

In Parker's own office we spent some time, as well as in Bruce's. Kennedy made a search for the note, but finding nothing in either office, turned out the contents of Bruce's scrap-basket. There didn't seem to be anything in it to interest him, however, even after he had pieced several torn bits of scraps together with much difficulty, and he was about to turn the papers back again, when he noticed something sticking to the side of the basket. It looked like a mass of wet paper, and that was precisely what it was.



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"That's queer," said Kennedy, picking it loose. Then he wrapped it up carefully and put it in his pocket. "Inspector, can you lend me one of your men for a couple of days?" he asked, as we were preparing to leave. "I shall want to send him out of town to-night, and shall probably need his services when he gets back."

"Very well. Riley will be just the fellow. We'll go back to headquarters, and I'll put him under your orders."

It was not until late the following day that I saw Kennedy again. It had been a busy day on the *Star*. We had gone to work that morning expecting to see the very financial heavens fall. But just about five minutes to ten, before the Stock Exchange opened, the news came in over the wire from our financial man on Broad Street: "The System has forced James Bruce, partner of Kerr Parker, the dead banker, to sell his railroad, steamship, and rubber holdings to it. On this condition it promises unlimited support to the market."

"Forced!" muttered the managing editor, as he waited on the office 'phone to get the composing-room, so as to hurry up the few lines in red ink on the first page and beat our rivals on the streets with the first extras. "Why, he's been working to bring that about for the past two weeks. What that System doesn't control isn't worth having—it edits the news before our men get it, and as for grist for the divorce courts, and tragedies, well—Hello, Jenkins, yes, a special extra. Change the big heads—copy is on the way up—rush it."

"So you think this Parker case is a mess?" I asked.

"I know it. That's a pretty swift bunch of females that have been speculating at Kerr Parker & Co.'s. I understand there's one Titian-haired young lady—who, by the way, has at least one husband who hasn't yet been divorced—who is a sort of ring-leader, though she rarely goes personally to her brokers' offices. She's one of those up-town plungers, and the story is that she has a whole string of scalps of alleged Sunday-school superintendents at her belt. She can make Bruce do pretty nearly anything, they say. He's the latest conquest. I got the story on pretty good authority, but until I verified the names, dates, and places, of course I wouldn't dare print a line of it. The story goes that her husband is a hanger-on of the System, and that she's been work-

ing in their interest, too. That was why he was so complacent over the whole affair. They put her up to capturing Bruce, and after she had acquired an influence over him they worked it so that she made him make love to Mrs. Parker. It's a long story, but that isn't all of it. The point was, you see, that by this devious route they hoped to worm out of Mrs. Parker some inside information about Parker's rubber schemes, which he hadn't divulged even to his partners in business. It was a deep and carefully planned plot, and some of the conspirators were pretty deeply in the mire, I guess. I wish I'd had all the facts about who this red-haired female Machiavelli was—what a piece of muckraking it would have made! Oh, here comes the rest of the news story over the wire. By Jove, it is said on good authority that Bruce will be taken in as one of the board of directors. What do you think of that?"

So that was how the wind lay—Bruce making love to Mrs. Parker and she presumably betraying her husband's secrets. I thought I saw it all: the note from somebody exposing the scheme, Parker's incredulity, Bruce sitting by him and catching sight of the note, his hurrying out into the ladies' department, and then the shot. But who fired it? After all, I had only picked up another clue.

Kennedy was not at the apartment at dinner, and an inquiry at the laboratory was fruitless also. So I sat down to fidget for a while. Pretty soon the buzzer on the door sounded, and I opened it to find a messenger-boy with a large brown paper parcel.

"Is Mr. Bruce here?" he asked.

"Why, no, he doesn't—" then I checked myself and added: "He will be here presently. You can leave the bundle."

"Well, this is the parcel he telephoned for. His valet told me to tell him that they had a hard time to find it, but he guesses it's all right. The charges are forty cents. Sign here."

I signed the book, feeling like a thief, and the boy departed. What it all meant I could not guess.

Just then I heard a key in the lock, and Kennedy came in.

"Is your name Bruce?" I asked.

"Why?" he replied. "Has anything come?"

I pointed to the package. Kennedy made a dive for it and unwrapped it. It was a woman's pongee automobile-coat. He held



it up to the light. The pocket on the right-hand side was scorched and burned, and a hole was torn clean through it. I gasped when the full significance of it dawned on me.

"How did you get it?" I exclaimed at last in surprise.

"That's where organization comes in," said Kennedy. "The police at my request went over every messenger call from Parker's office that afternoon, and traced every one of them up. At last they found one that led to Bruce's apartment. None of them led to Mrs. Parker's home. The rest were all business calls and satisfactorily accounted for. I reasoned that this was the one that involved the disappearance of the automobile-coat. It was a chance worth taking, so I got Downey to call up Bruce's valet. The valet of course recognized Downey's voice and suspected nothing. Downey assumed to know all about the coat in the package received yesterday. He asked to have it sent up here. I see the scheme worked."

"But, Kennedy, do you think she—" I stopped, speechless, looking at the scorched coat.

"Nothing to say—yet," he replied laconically. "But if you could tell me anything about that note Parker received I'd thank you."

I related what our managing editor had said that morning. Kennedy only raised his eyebrows a fraction of an inch.

"I had guessed something of that sort," he said merely. "I'm glad to find it confirmed even by hearsay evidence. This red-haired young lady interests me. Not a very definite description, but better than nothing at all. I wonder who she is. Ah, well, what do you say to a stroll down the White Way before I go to my laboratory? I'd like a breath of air to relax my mind."

We had got no further than the first theater when Kennedy slapped me on the back.

"By George, Jameson, she's an actress, of course."

"Who is? What's the matter with you, Kennedy? Are you crazy?"

"The red-haired person—she must be an actress. Don't you remember the auburn-haired leading lady in the 'Follies'—the girl who sings that song about 'Mary, Mary, quite contrary'? Her stage name, you know, is Phoebe La Neige. Well, if it's she who is concerned in this case I don't think

she'll be playing to-night. Let's inquire at the box-office."

She wasn't playing, but just what it had to do with anything in particular I couldn't see, and I said as much.

"Why, Walter, you'd never do as a detective. You lack intuition. Sometimes I think I haven't quite enough of it, either. Why didn't I think of that sooner? Don't you know she is the wife of Adolphus Hesse, the most inveterate gambler in stocks in the System? Why, I had only to put two and two together and the whole thing flashed on me in an instant. Isn't it a good hypothesis that she is the red-haired woman in the case, the tool of the System in which her husband is so heavily involved? I'll have to add her to my list of suspects."

"Why, you don't think she did the shooting?" I asked, half hoping, I must admit, for an assenting nod from him.

"Well," he answered dryly, "one shouldn't let any preconceived hypothesis stand between him and the truth. I've made a guess at the whole thing already. It may or it may not be right. Anyhow she will fit into it. And if it's not right, I've got to be prepared to make a new guess, that's all."

When we reached the laboratory on our return, the inspector's man Riley was there, waiting impatiently for Kennedy.

"What luck?" asked Kennedy.

"I've got a list of purchasers of that kind of revolver," he said. "We have been to every sporting-goods and arms-store in the city which bought them from the factory, and I could lay my hands on pretty nearly every one of those weapons in twenty-four hours—provided, of course, they haven't been secreted or destroyed."

"Pretty nearly all isn't good enough," said Kennedy. "It will have to be all, unless—"

"That name is in the list," whispered Riley hoarsely.

"Oh, then it's all right," answered Kennedy, brightening up. "Riley, I will say that you're a wonder at using the organization in ferreting out such things. There's just one more thing I want you to do. I want a sample of the notepaper in the private desks of every one of these people." He handed the policeman a list of his "suspects," as he called them. It included nearly every one mentioned in the case.

Riley studied it dubiously and scratched



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his chin thoughtfully. "That's a hard one, Mr. Kennedy, sir. You see, it means getting into so many different houses and apartments. Now you don't want to do it by means of a warrant, do you, sir? Of course not. Well, then, how can we get in?"

"You're a pretty good-looking chap yourself, Riley," said Kennedy. "I should think you could jolly a housemaid, if necessary. Anyhow you can get the fellow on the beat to do it—if he isn't already to be found in the kitchen. Why, I see a dozen ways of getting the notepaper."

"Oh, it's me that's the lady-killer, sir," grinned Riley. "I'm a regular Blarney stone when I'm out on a job of that sort. Sure, I'll have some of them for you in the morning."

"Bring me what you get, the first thing in the morning, even if you've landed only a few samples," said Kennedy, as Riley departed, straightening his tie and brushing his hat on his sleeve.

"And now, Walter, you too must excuse me to-night," said Craig. "I've got a lot to do, and sha'n't be up to our apartment till very late—or early. But I feel sure I've got a strangle-hold on this mystery. If I get those papers from Riley in good time to-morrow I shall invite you and several others to a grand demonstration here to-morrow night. Don't forget. Keep the whole evening free. It will be a big story."

Kennedy's laboratory was brightly lighted when I arrived early the next evening. One by one his "guests" dropped in. It was evident that they had little liking for the visit, but the coroner had sent out the "invitations," and they had nothing to do but accept. Each one was politely welcomed by the professor and assigned a seat, much as he would have done with a group of students. The inspector and the coroner sat back a little. Mrs. Parker, Mr. Downey, Mr. Bruce, myself, and Miss La Neige sat in that order in the very narrow and uncomfortable little armchairs used by the students during lectures.

At last Kennedy was ready to begin. He took his position behind the long, flat-topped table which he used for his demonstrations before his classes. "I realize, ladies and gentlemen," he began formally, "that I am about to do a very unusual thing; but, as you all know, the police and the coroner have been completely baffled by this terrible mystery and have requested me

to attempt to clear up at least certain points in it. I will begin what I have to say by remarking that the tracing out of a crime like this differs in nothing, except as regards the subject-matter, from the search for a scientific truth. The forcing of man's secrets is like the forcing of nature's secrets. Both are pieces of detective work. The methods employed in the detection of crime are, or rather should be, like the methods employed in the process of discovering scientific truth. In a crime of this sort, two kinds of evidence need to be secured. Circumstantial evidence must first be marshaled, and then a motive must be found. I have been gathering facts. But to omit motives and rest contented with mere facts would be inconclusive. It would never convince anybody or convict anybody. In other words, circumstantial evidence must first lead to a suspect, and then this suspect must prove equal to accounting for the facts. It is my hope that each of you may contribute something that will be of service in arriving at the truth of this unfortunate incident."

The tension was not relieved even when Kennedy stopped speaking and began to fuss with a little upright target which he set up at one end of his table. We seemed to be seated over a powder-magazine which threatened to explode at any moment. I, at least, felt the tension so greatly that it was only after he had started speaking again that I noticed that the target was composed of a thick layer of some putty-like material.

Holding a thirty-two-caliber pistol in his right hand and aiming it at the target, Kennedy picked up a large piece of coarse homespun from the table and held it loosely over the muzzle of the gun. Then he fired. The bullet tore through the cloth, sped through the air, and buried itself in the target. With a knife he pried it out.

"I doubt if even the inspector himself could have told us that when an ordinary leaden bullet is shot through a woven fabric the weave of that fabric is in the majority of cases impressed on the bullet, sometimes clearly, sometimes faintly."

Here Kennedy took up a piece of fine batiste and fired a bullet through it.

"Every leaden bullet, as I have said, which has struck such a fabric bears an impression of the threads which is recognizable even when the bullet has penetrated deeply into the body. It is only obliterated par-





DRAWN BY WILL FOSTER

"I defy anyone in this room to tell me the exact moment when I discharged the pistol," said Kennedy



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tially or entirely when the bullet has been flattened by striking a bone or other hard object. Even then, as in this case, if only a part of the bullet is flattened the remainder may still show the marks of the fabric. A heavy warp, say of cotton velvet or, as I have here, homespun, will be imprinted well on the bullet, but even a fine batiste, containing one hundred threads to the inch, will show marks. Even layers of goods such as a coat, shirt, and undershirt may each leave their marks, but that does not concern us in this case. Now I have here a piece of pongee silk, cut from a woman's automobile-coat. I discharge the bullet through it—so. I compare the bullet now with the others and with the one probed from the neck of Mr. Parker. I find that the marks on that fatal bullet correspond precisely with those on the bullet fired through the pongee coat.

"Now I have another demonstration. A certain note figures in this case. Mr. Parker was reading it, or perhaps re-reading it, at the time he was shot. I have not been able to obtain that note—at least not in a form such as I could use in discovering what were its contents. But in a certain wastebasket I found a mass of wet and pulp-like paper. It had been cut up, macerated, perhaps chewed; perhaps it had been also soaked with water. There was a washbasin with running water in this room. The ink had run, and of course was illegible. The thing was so unusual that I at once assumed that this was the remains of the note in question. Under ordinary circumstances it would be utterly valueless as a clue to anything. But to-day science is not ready to let anything pass as valueless.

"I found on microscopic examination that it was an uncommon linen bond paper, and I have taken a large number of microphotographs of the fibers in it. They are all similar. I have here also about a hundred microphotographs of the fibers in other kinds of paper, many of them bonds. These I have accumulated from time to time in my study of the subject. None of them, as you can see, shows fibers resembling this one in question, so we may conclude that it is of uncommon quality. Through an agent of the police I have secured samples of the notepaper of every one who could be concerned, as far as I could see, with this case. Here are the photographs of the fibers of these various notepapers, and among them

all is just one that corresponds to the fibers in the wet mass of paper I discovered in the scrap-basket. Now lest anyone should question the accuracy of this method I might cite a case where a man had been arrested in Germany charged with stealing a government bond. He was not searched till later. There was no evidence save that after the arrest a large number of spitballs were found around the courtyard under his cell window. This method of comparing the fibers with those of the regular government paper was used, and by it the man was convicted of stealing the bond. I think it is almost unnecessary to add that in the present case we know precisely who—"

At this point the tension was so great that it snapped. Miss La Neige, who was sitting beside me, had been leaning forward involuntarily. Almost as if the words were wrung from her she whispered hoarsely: "They put me up to doing it; I didn't want to. But the affair had gone too far. I couldn't see him lost before my very eyes. I didn't want her to get him. The quickest way out was to tell the whole story to Mr. Parker and stop it. It was the only way I could think of to stop this thing between another man's wife and the man I loved better than my own husband. God knows, Professor Kennedy, that was all—"

"Calm yourself, madam," interrupted Kennedy soothingly. "Calm yourself. What's done is done. The truth must come out. Be calm. Now," he continued, after the first storm of remorse had spent itself and we were all outwardly composed again, "we have said nothing whatever of the most mysterious feature of the case, the firing of the shot. The murderer could have thrust the weapon into the pocket or the folds of this coat"—here he drew forth the automobile coat and held it aloft, displaying the bullet hole—"and he or she (I will not say which) could have discharged the pistol unseen. By removing and secreting the weapon afterward one very important piece of evidence would be suppressed. This person could have used such a cartridge as I have here, made with smokeless powder, and the coat would have concealed the flash of the shot very effectively. There would have been no smoke. But neither this coat nor even a heavy blanket would have deadened the report of the shot.

"What are we to think of that? Only one thing. I have often wondered why



the thing wasn't done before. In fact I have been waiting for it to occur. There is an invention that makes it almost possible to strike a man down with impunity in broad daylight in any place where there is sufficient noise to cover up a click, a slight 'Pouf!' and the whir of the bullet in the air.

"I refer to this little device of a Hartford inventor. I place it over the muzzle of the thirty-two-caliber revolver I have so far been using—so. Now, Mr. Jameson, if you will sit at that typewriter over there and write—anything so long as you keep the keys clicking. The inspector will start that imitation stock-ticker in the corner. Now we are ready. I cover the pistol with a cloth. I defy anyone in this room to tell me the exact moment when I discharged the pistol. I could have shot any of you, and an outsider not in the secret would never have thought that I was the culprit. To a certain extent I have reproduced the conditions under which this shooting occurred.

"At once on being sure of this feature of the case I despatched a man to Hartford to see this inventor. The man obtained from him a complete list of all the dealers in New York to whom such devices had been sold. The man also traced every sale of those dealers. He did not actually obtain the weapon, but if he is working on schedule-time according to agreement he is at this moment armed with a search-warrant and is ransacking every possible place where the person suspected of this crime could have concealed his weapon. For one of the persons intimately connected with this case purchased not long ago a silencer for a thirty-two-caliber revolver, and I presume that that person carried the gun and the silencer at the time of the murder of Kerr Parker."

Kennedy concluded in triumph, his voice high pitched, his eyes flashing. Yet to all outward appearance not a heart-beat was quickened. Some one in that room had an amazing store of self-possession. The fear flitted across my mind that even at the last Kennedy was baffled.

"I had anticipated some such anti-climax," he continued after a moment. "I am prepared for it."

He touched a bell, and the door to the

next room opened. One of Kennedy's graduate students stepped in.

"You have the records, Whiting?" he asked.

"Yes, Professor."

"I may say," said Kennedy, "that each of your chairs is wired under the arm in such a way as to betray on an appropriate indicator in the next room every sudden and undue emotion. Though it may be concealed from the eye, even of one like me who stands facing you, such emotion is nevertheless expressed by physical pressure on the arms of the chair. It is a test I use frequently with my students to demonstrate various points of psychology. You needn't raise your arms from the chairs, ladies and gentlemen. The tests are *all over* now. What did they show, Whiting?"

The student read what he had been noting in the next room. At the production of the coat during the demonstration of the markings of the bullet, Mrs. Parker had betrayed great emotion, Mr. Bruce had done likewise, and nothing more than ordinary emotion had been noted for the rest of us. Miss La Neige's automatic record during the tracing out of the sending of the note to Parker had been especially unfavorable to her; Mr. Bruce showed almost as much excitement; Mrs. Parker very little and Downey very little. It was all set forth in curves drawn by self-recording pens on regular ruled paper. The student had merely noted what took place in the lecture-room as corresponding to these curves.

"At the mention of the noiseless gun," said Kennedy, bending over the record, while the student pointed it out to him and we leaned forward to catch his words, "I find that the curves of Miss La Neige, Mrs. Parker, and Mr. Downey are only so far from normal as would be natural. All of them were witnessing a thing for the first time with only curiosity and no fear. The curve made by Mr. Bruce shows great agitation and—"

I heard a metallic click at my side and turned hastily. It was Inspector Barney O'Connor, who had stepped out of the shadow with a pair of handcuffs.

"James Bruce, you are under arrest," he said.

There flashed on my mind, and I think on the minds of some of the others, a picture of another electrically wired chair.

The next mystery story, "*The Bacteriological Detective*," will appear in the February issue.





PHOTO EXHIBITED FOR THE COMMEMORATION OF THE CENTENNIAL

Rebellion against economic conditions that forced scores of thousands into idleness made this man famous in 1894. He is still insurging.

**A**BOUT sixteen years ago the country was at first startled, then amused, by the announcement that one Jacob S. Coxey was about to lead a "hobo army" to Washington, D. C., there to protest against various governmental policies and abuses and to propose a number of most radical reforms. The "army" was to start from Massillon, Ohio, the home of Coxey. The leader of the army was immediately dubbed "General" Coxey, and you and I laughed our fool heads off about it.

General Coxey had made the announcement that he proposed to present "a living, breathing, human petition to Congress"—an army of the unemployed. He called it "The Army of the Commonweal," but

"hobo army" appealed to the American sense of humor, and "hobo army" and "Coxey's Army" were the names that stuck. You and I, being wise in our generation, pictured General Coxey as a ragged tramp, unshaven, unkempt, uncouth. He was a mere vagabond, appealing to the government in a picturesque way to support him and his fellow tramps. A great many of us have clung to that picture, and smile even now when reference is made to the march of Coxey's Army from Ohio to the nation's capital, or to the arrest of Coxey for leading his footsore followers onto the sacred grass that surrounds the Capitol. But could you have walked into the lobby of the Waldorf-Astoria Hotel the other day and taken observations, you would have



changed your conceptions of General Jacob S. Coxey. For Mr. Coxey is not a hobo, not a tramp, not a pauper, but a good-looking, keen, clean-cut, and intelligent gentleman who is worth—now don't be startled—about three million dollars in spendable United States money. And, furthermore, he never was a hobo, nor a pauper. He was worth a round million dollars or more when he organized his Army of the Commonwealth—when he went to jail for daring to insist that Congress consider his "human petition."

At that time—1894—Mr. Coxey was merely an insurgent. He is still an insurgent and, in view of changes which have been wrought, calls himself "The Original Insurgent." "I haven't changed," said he to the writer—"not a bit. Sixteen years ago I was laughed out of court for advocating a financial plan which I believe to be the only true solution of those national troubles which are variously ascribed to the high tariff, the trusts, agitation, and what-not. I have lived to see my views accepted in the highest places, and when Mr. Aldrich and his fellow lawmaking financiers passed the emergency currency bill last year they adopted that for which Coxey's Army pleaded. They are now soldiers of the Army of the Commonwealth, although their enlistment hasn't been voluntary. Public opinion has drafted them, conditions have forced them, and I feel more or less vindicated. However, their halting acceptance of one of the basic planks of my platform hasn't caused me to believe that the battle is won—not by a long shot. I am still fighting, still organizing, and before many years roll around you will see a wider acceptance of Coxey's much derided views."

The money issue is the only one that counts, according to Mr. Coxey's ideas. "I don't mean to intimate that tariff abuses aren't real abuses—real issues. But it is our foolish monetary system that needs revision first. We cry against high prices. But those prices will continue to soar higher and higher, and living decently will become more and more difficult as long as the people inflate and the currency doesn't. There is a change coming, however. I hope it will be in the nature of evolution. I fear that it will be revolution."

Parties and party names and alleged party "principles" mean nothing in these days of money tyranny, according to Coxey.

He doesn't believe that sincerity actuates the leaders of either the Republican or the Democratic party, and he is not slow in expressing his views.

Mr. Coxey has had a bill introduced in Congress for the change in the monetary system which he has long advocated; he has appeared before Congressional committees; he has made speeches all over the country; he has issued millions of pamphlets; he has printed a regular monthly circular—all at his own expense. A few years ago he equipped two special cars and proposed to make a two years' tour of the country, speaking in a big tent which he purchased.

"When I found what it would cost to make a tour of that sort I also discovered that I didn't have money enough—yet," he says.

But it is not unlikely that Jacob S. Coxey will still carry out this plan. He believes in the governmental ownership of all public means of transportation and communication—railroads, telegraphs, telephones. But he does not believe in confiscation. Under his plan they would be purchased under condemnation proceedings and paid for in cash, the money to be secured by the issuance of non-interest-bearing bonds and retired as provided in his monetary plank. Service should be rendered the public at cost.

There is a wealth of detail which General Coxey is prepared to present to back up his general plans. And whether his arguments are false or otherwise, he is a most interesting personality; earnest, sincere, and intensely human. He has the dynamic force, the untiring energy, that always marks real sincerity. They may "laugh him out of court," as in 1894, a score of times, but he'll come up smiling and ready for the next round. He has a beautiful home about four miles from Massillon, where he resides with his wife and seven children. He is interested in immense stone-quarries and half a dozen manufacturing plants and owns an arsenic mine, the only one, he claims, in the United States. He is under sixty years of age, wears tailored clothing and patent-leather shoes, smokes good cigars, takes an occasional bottle of wine; and fairly bubbles over with good nature. He is about as far removed in appearance from the popular conception of the leader of Coxey's Army as one could readily imagine. You might just as well picture a taciturn Roosevelt.





"I did not leave the army a heart-in-heart anarchist and criminal, as many other deserters have done, nor have I since become such, though I marvel at times that I have not lost

all affection for the flag, like many of those fifty thousand other deserters, who, though they are victims of an inhuman military system, are a black blot on our national 'scutcheon'

## The Story of a Deserter

As Told to Bailey Millard

EDITOR'S NOTE.—The COSMOPOLITAN MAGAZINE and its contributor, Mr. Bailey Millard, have been harshly criticized for publishing some unpleasant truths about the United States army. The article entitled "The Shame of Our Army," which appeared in our September issue, brought down upon both magazine and contributor a torrent of abuse for giving to the public the unvarnished facts about desertion and its causes. For the most part our critics were petty officers in Uncle Sam's employ, men whose military ardor outran their sense of logic and their fund of information. None of our denunciators, however, recognized the fact that in bringing to public attention one of the greatest weaknesses of our military organization a real benefit was conferred, for if the system is not of the highest efficiency in respect to its treatment of recruits it is time it was made so. The perfection of the fighting organization of the nation should be the aim of those into whose hands has been placed the responsibility for such perfection. That the present methods of dealing with the deserter are both stupid and short-sighted is the opinion of many well-informed military officers of high rank, including the commander-in-chief of the army, President Taft.

The following truths concerning the underlying causes which make for desertion from the army have been reported from the lips of a deserter in the hope that some action may be taken by those upon whom the disaffection of more than fifty thousand men now rests as a blighting shame.

**I** BECAME a deserter from the United States army for about the same reasons that over fifty thousand other men have deserted during the past twelve years—the toilsome menial service imposed upon me, the abuse and the bad treatment. Although deprived of my citizenship and forced to become a man without a country, I did not leave the army a heart-in-heart anarchist and criminal, as many other deserters have done, nor have I since become such, though I marvel at times that

I have not lost all affection for the flag, like many of those fifty thousand other deserters, who, though they are victims of an inhuman and unintelligent military system, are a blot on our national 'scutcheon'.

I enlisted in 1907. I had always had a longing for the army. As you see, I am of good height and of straight and athletic build. I had had four years of military drill in school and had won the first senior prize in manual of arms against a field of five hundred cadets.



During vacation, after my first year at Princeton, I was walking one day through Madison Square, in New York, when I saw a recruiting officer, dressed in a white uniform, standing near a flag that floated over a small billboard on which there was a gorgeous poster representing a smartly uniformed young cavalryman sitting on a spanking bay horse, blowing a bugle. The poster made a strong appeal to me. Vacation was almost at an end, and an army career seemed to me far more inviting than life in the prosy class-room. The recruiting officer talked with me about army life. He said if I enlisted I would have no trouble at all in becoming an officer. I would soon be commanding a company and drawing a captain's pay.

Before I could realize the step I was taking I was on my way to the recruiting-station, and that afternoon was sent to Fort Slocum with a dozen other rookies. There I was examined by a doctor, "mugged" and finger-printed, as if for the rogues' gallery; but although rather indignant at the time, I made no protest.

After we were assigned to our quarters at the receiving-barracks I sat on my cheap little iron bed and scratched off a note to my father, a wealthy manufacturer of Newark, New Jersey, telling him I had joined the army. We recruits had supper in a corner of the mess-room, and were then conducted to a little hall where the articles of war were read to us and we were sworn in. I received my uniform, and felt myself a full-fledged soldier and expected to be assigned at once to a soldier's duties. I imagined how I would amaze the sergeant next day when I should be drilled with the

awkward squad on the parade-ground. Of course the commanding officer would note at once my superior bearing, and would put me in line for promotion. Instead of drill, however, I was assigned to kitchen police. In other words, I was set to scrubbing sinks, washing dishes, cleaning pots, emptying slops, and waiting on table. Of course I was disgusted, discouraged, and humiliated, for I had never done such work.

"See here," I said to the mess-room sergeant, "I didn't join the army to wash dishes. The recruiting-officer promised that I should do a soldier's duty, and the poster—"

"Rats!" he broke in curtly, with a knowing grin. "You didn't look on the back of the poster." Then he swore at me and ordered me to get back to the kitchen or he would give me ten days' extra fatigue.

One man told me he had been given two weeks' extra work for merely asking a question, and that he had been cursed so roundly that he was going to "beat it" from the service at the first opportunity.

"They curse you and curse you, whether you do your work right or wrong," he declared to me, "and there isn't a moment's rest. As soon as you get one thing done they'll pile something more upon you."

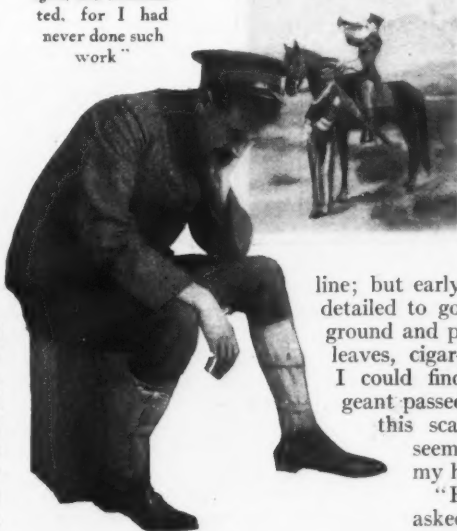
And that's exactly the way I found it. After being relieved of kitchen police, I was still kept on fatigue. I was told that I would go out for drill next day, and I felt a thrill of joy at the chance of showing my training in that

line; but early next morning I was detailed to go around the parade-ground and pick up all the papers, leaves, cigar- and cigarette-butts I could find. The provost sergeant passed me while I was doing this scavenger's work. He seemed to take delight in my humiliation.

"How's business?" he asked laughingly. "Pick-

"Instead of drill, I was assigned to kitchen police. Of course I was disgusted, discouraged, and humiliated, for I had never done such work"

#### Men Wanted for the Army





ing up? Go around the officers' quarters and gather up everything there. Quick work! Hurry!"

I did this scavenger's work all day long, from seven in the morning until late in the evening, and I think I made a good job of it. That day a letter came from my father, telling me he was sorry I had left college, but that, seeing I was bent upon a soldier's life, perhaps that was best for me after all. By this time I wasn't so sure it was best for me, but I was determined to see it through. The next day, still awaiting that drill in which I would show them something, I **was set at the revolting task of cleaning the office spittoons and carrying slops**, and on the following day I raked leaves.

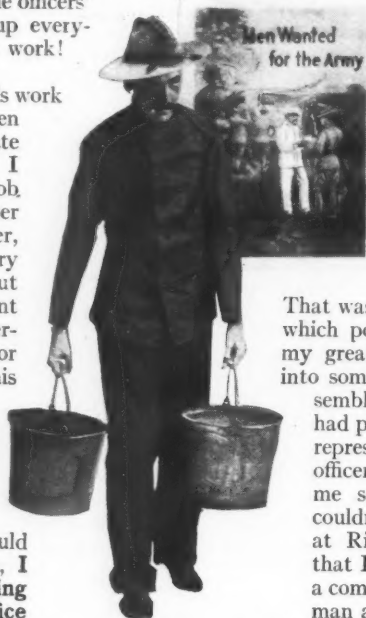
Remember that this work was not punishment for any neglect of duty or any misdemeanor. I was not under guard. I did the work as I was told, and I did it well. Other men, who were not prisoners in any sense, performed similar tasks. All of them were rookies, and all looked discouraged.

At last, after two weeks of this soul-sickening servitude, I was taken off my scavenger's job and put in with the awkward squad. I soon saw that I knew ten times as much as the drill-sergeant did about executing movements of all kinds. He could see it, too, and it made him angry. I was doing precisely the right thing at the right time in the movement of "left front into line" when he grabbed my arm and growled at me like a dog.

"Great jumping Jehoshaphat!" he yelled. "How did you ever get into the army?"

Next day I was set to cleaning spittoons again.

I was at Fort Slocum over three months. During some weeks I worked as many as three days in that loathsome kitchen, during others only two. But though I hated the



"I was set at the revolting task of cleaning the office spittoons and carrying slops"

work I kept on, being determined that I would become a soldier and a good one. On the odd days I worked around the parade-grounds or the officers' quarters or did guard duty.

I enlisted in August in a cavalry troop, but it was not until the middle of November that I was given a horse to ride.

That was at Fort Riley, Kansas, to which post we were sent finally, to my great joy, as I wanted to get into something that bore a faint resemblance to a soldier's life as I had pictured it and as it had been represented to me by the recruiting-officer. It had been rubbed into me so hard at Slocum that I couldn't think it could be as bad at Riley, but it was. It is true that I got my horse, and this was a comfort, for I was a good horse-man and enjoyed the drills, all except the cursing, which, I found, was a regular thing at my new post, as it is everywhere in the army. Mind you, officers are not

supposed to swear at men. It is dead against the rules and is a punishable offense, but I never heard of an officer being punished for it. Riley is a dismal place, and it was uncomfortable there in many ways. They say you don't have to do any really hard manual labor in the army unless you are a prisoner. Did I work hard? Well, rather. I had been there only a little while before I was set, with other men of my troop, to digging up clay from a frozen field outside the reservation, carting it into the corral, spreading it out, and cracking it up with a sledgehammer. Every little while I was detailed on stable police by a sergeant who didn't like me because he fancied I held myself to be superior to him, which I clearly was, both in breeding and education. The officers at Riley showed the rankest favoritism. They would make a man a stable orderly if they liked him. A stable orderly has nothing to do except to boss the stable work, which is done by three men detailed to do stable police. Because the sergeant didn't like me I was made one of those three men a great deal oftener than would have been the case



had I fawned upon him, which the "non-coms." all expect and some of them exact. There were sixty-five horses in the troop, and we had to clean up after them, fork and rake the manure, load it into a wagon and drive about one mile, where we dumped our loads. We had to keep on the jump. **If a man loitered for a moment for any reason he was cursed at and sometimes punished by extra fatigue.** There was little true comradeship at the post. My only friend and confidant was my horse, to whom I would go down occasionally and pour out my troubles.

On grain day we had to haul fifty to sixty sacks of grain. At other times we had to sweep the manure out of the corral and cart it away. In between there were kitchen police and guard duty to perform. With me kitchen police at Riley seemed to be an endless number of potatoes to peel and an endless number of dishes to wash. But I would not have minded this work so much if it were not for the way I was ordered about and the swearing, to which I couldn't accustom myself. At school I had learned that there was only one thing to be done when a boy was called a certain vile epithet reflecting upon his mother, but I heard that epithet often in the army, and rarely saw anyone resent it. For to strike your superior officer may mean death to you.

Along in the spring, just because I didn't belong to the gang of hand-shakers who were fawning about the sergeant, I was detailed with a couple of other men to scrape the calcimine off the walls of the mess-room so that they might be recalcimined. This was clearly the work of the civilian painters who were hired to do the job, but I made no complaint. One of the other men asked the sergeant if it wasn't the painters' work. He was loudly cursed and told to get back and scrape that wall or he would be put into the guard-house. Next day the pro-

testing man disappeared. He told me before leaving that he was going to desert, and another man and myself helped him to do so by saying he was sick in his bunk when his name was called next morning.

Several other men deserted while I was there. Others didn't want to take the chance of being imprisoned, so they worked to get six court martials, which means a kick-out. One man who had always been perfectly sober got himself court-martialed six times for drunkenness and disorderly conduct, and **when he bade me good-by on being dishonorably discharged he said he was the happiest man in Kansas.** Man after man of our troop worked this dishonorable-discharge game. Think of it—soldiers of our glorious army, good men and true, using every endeavor to be dishonorably discharged!

I never was in any place in my life where there was such an undercurrent of protest against bad treatment as there was in the army, though nobody dared to complain to an officer. Free men in the army are not supposed to do such work as cut grass with lawn-mower and sickle, lay walks, or do scavengers' duties unless they are paid for it. But often and often I had to do such work, and was never paid a cent. And I did not do it to work out a term in the guard-house either, for up to that time I had never been in the guard-house. Nor are officers supposed to make "dog-robbers" of men unless they are perfectly willing to serve in such menial capacity. A "dog-robber" is a man who works for an officer as a servant and is paid from five dollars to ten dollars a month extra.

The work is looked upon with contempt by the average soldier, for it means housemaid's service at less than housemaid's pay; but several times I have heard an officer say to a private, "I want you to come and rob dog for me." If the man should try to decline the officer would say, "Well, you heard what I said." And Mr. Man would have to trot meekly along to the officer's



"During some weeks I worked as many as three days in that loathsome kitchen"



## The Story of a Deserter

house and polish shoes, beat rugs, and empty out slops.

The officers at Fort Riley made a regular practice of keeping "dog-robbers" as their exclusive servants, getting all the work they could out of them by excusing them from guard duty and drill save on those days when the inspecting officer visited the post. Post inspection in the army is a joke. Imagine an inspector giving three days' to a week's notice that he is coming to inspect! Of course everything is in apple-pie order for him when he arrives, and the "dog-robbers" are at drill and on other military duty instead of beating rugs for Mrs. Officer. But as soon as the inspector is gone the dust begins to fly from those rugs, and the slop-can is toted down-stairs.

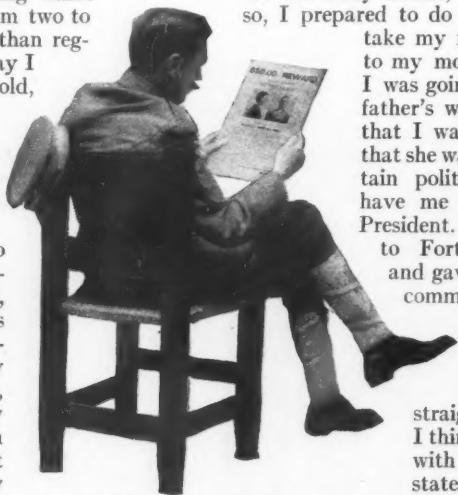
Kansas is a prohibition state, and no liquor is allowed to be sold on military reservations anyway, but **a chap named Hayner was permitted to bring in rot-gut whiskey, worth about fifty cents a gallon, and sell it to the boys for two dollars a quart.** This was done regularly at Riley, and is done there yet.

Coming now to the point where I deserted from the army, let me make it clear that I was by this time a seasoned soldier and by no means averse to discipline as prescribed by army rules, but to have to submit to what was put upon me and what was put upon many other men in my troop was really unbearable. I had just had a season of hoeing weeds, making walks and roads, working from two to four hours a day more than regular hours, when one day I was set to work in a cold, damp cellar picking chickens. The cook was supposed to help me, but he didn't, and there were sixteen tough old fowls to pick and no hot water to soak them in. I complained to the sergeant, saying it was two men's work, but that I was doing it alone. He curtly told me to go to—, and used other very abusive language which you wouldn't print. That night I made my way outside the reservation,

walked about ten miles, took a train, and the next morning was in Wakeeney.

I was free from my loathsome duties, but I was a deserter—a man without a country. I had forfeited all my rights to citizenship, and if captured would have to serve a term in prison at hard labor. I had a little money, and as I knew it behooved me to get as far away from my old post as possible I determined to get out on the Coast and see if I couldn't get some kind of work. You see, I couldn't go home, as that would be the first place my pursuers would look for me. I went to San Francisco and took the name of William Chester. Although my father was a rich man, I did not apply to him for money when I was reduced to my last dollar, but tried hard to support myself. This I managed to do after a fashion, though I was out of a job for most of the time and for a while mixed cement as a mason's helper. I tried newspaper reporting, but didn't make a success of it. I tried clerking, but couldn't get steady employment. At last I got a good job selling sewing-machines in Fresno. My uncle, who was quite a well-to-do merchant there, helped me to get this situation, and I was making good in it when I received a letter from my mother saying that my father was dead and that his last words were, "I want William to go back to the army and remove the only stain from the family name." Of course my father did not understand what going back to the army meant, but I did. Even so, I prepared to do as he desired and

take my medicine. I wrote to my mother and told her I was going to carry out my father's wishes. She replied that I was a good boy and that she was going to use certain political influence to have me pardoned by the President. Meantime I went to Fort Douglas, Utah, and gave myself up. The commanding officer was surprised when he heard my story. I was well dressed, spoke straightforwardly, and I think I impressed him with the truth of my statements. At any rate, he did not send



"They might hand you five years for this"

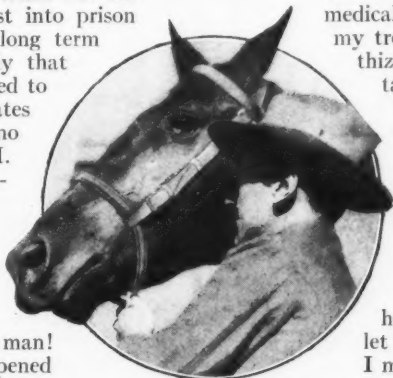


me to the guard-house, as I had expected, but gave me the freedom of the reservation while my case was being considered at Washington, although he told me that it would probably go hard with me. "They might hand you five years for this," he said.

I was amazed, after three weeks of waiting, to learn that an order had come for me to return to my post! What was the reason I was not thrust into prison and made to serve a long term at hard labor? Simply that my mother had managed to get three United States senators, one of them no less a man than W. M. Crane, of Massachusetts, to fix things with the military authorities so that I, a deserter from the army for one year and one month, could go back to my troop a free man! What would have happened if my family had had no money and no influence? Why, I should be serving three years at least in a garrison prison or at Fort Leavenworth. But I made no complaint, rest assured of that.

Back to Fort Riley I went at the expense of the government, and soon I was with my old troop and faring about the same as I had fared before. I had not been at Riley more than a week, however, before my regiment was transferred to Fort Ethan Allen, in Vermont.

I had returned to the army with the full determination to make good. But this was up-hill work, for **although political influence had saved me from prison it could not save me from the abuse of petty officers.** The same men who had mistreated me at Riley could be just as abusive at Ethan Allen, and in fact they handed it out to me a little rawer at my new post than at the old one. The first day I was there I fainted twice. I had been given kitchen police and, having become accustomed to fresh air, I could not stand the odor from a wash-boiler full of decayed beans that were to be served as part of the men's rations. We had very poor food at Ethan Allen—bad meat, bad bread, and bad vegetables. Two of us, in a fetid atmosphere, washed the dishes for



"My only friend and confidant at Fort Riley was my horse, to whom I would go down occasionally and pour out my troubles"

sixty-five men. I became so sick that I was sent to the hospital, but was soon on kitchen police again. From standing all day long waiting on table and washing dishes a long-standing case of epididymitis, contracted during my desertion as the result of being struck by a baseball while catching for a clerks' team, became aggravated and painful. I spoke to the chief of the medical staff of the post about my trouble. Instead of sympathizing with me, he seemed to take a grim delight in my predicament, and at once ordered me confined to the hospital and ordered an outrageous operation, to which I demurred. I begged him not to perform the operation, but he would not listen to me. I heard him give strict orders not to let me leave the hospital, but I managed to elude the guard that night and made my way to Burlington, a distance of four miles, along the railroad track. Eight men searched for me along the roads on horseback, but they

did not find me. In Burlington I consulted one of the best surgeons in Vermont, and he said after a careful examination:

"There's nothing the matter with you, my boy. The varicose condition is anything but serious. It would be criminal to operate upon you."

The doctor helped me to cash a check for three hundred dollars which my mother had sent me. I paid him for the consultation, took the next train for Montreal, and in about a week I was in London. I intended to stay three years in Europe, but got tired of it in six weeks and returned to America, going at once to Philadelphia, where my mother joined me, and we lived very happily at the Rodman Hotel, where we had a fine suite. I took the name of Harry B. Stewart, and went to work as timekeeper in the Highway Department of the Baldwin Locomotive Works. In two weeks I was put into the engineering corps at \$45 a week. What did I know about engineering? Only what I had picked up from an intelligent coach after a few days' study. Although I worked for six months there and



## The Story of a Deserter

mother was very proud of me, as I was making good, I was unhappy, as my father's dying words kept ringing in my ears. Then, too, I was tired of being constantly on the alert for detectives anxious to secure the fifty dollars reward offered for my capture as a deserter. One night while I was in a restaurant on Broad Street the house detective came to my table and said they were after me. I went to my hotel, and told my mother I was going to take a steamer for Europe, but instead took the next train for New York and went to Fort Ethan Allen, where I gave myself up.

At that time the garrison was manned by colored troops, and there were forty prisoners in the guard-house, only five of them white. Although I had not yet been tried, I was put into the guard-house with these military convicts. The prisoners were dirty and diseased, and there was a frightful smell in the prison. I had a vague idea that because I had been treated so well after my first desertion I would get along all right after my second. **All I wanted was a chance to make good,** and this I thought would be given me. But I had no second chance. In fact I was shamefully mistreated. The routine was enough to kill the strongest kind of a man. We were ordered out at four thirty in the morning and fed a miserable breakfast consisting of coffee, bread, and slum. The coffee was prepared in a tin pail in which the prisoners washed their feet. It was made of left-over grounds from the regular mess-room. The slum was a horrible concoction of putrid meat and unpeeled potatoes stewed up with a little flour thickening. Often we were not allowed more than ten or fifteen minutes to eat. We went to work at a quarter to five, although the rules plainly stated that seven o'clock was the hour for the beginning of prisoners' labor. At first I was paired off with a negro who was serving a two-year term for having pawned his blanket, for which he had paid the government \$4.85. Think of that for

a punishment! My negro comrade and I worked under the most brutal colored guard in the garrison. **He thought nothing of**

**knocking us down with the butt of his gun** if we did not move quite fast enough to suit him, cursing us meantime in a way that made me want to do murder.

Our first duty was to go to the stables, groom and hitch up a span of mules to a wagon and drive to a pile of crushed rock, which we shoveled into the wagon until it was full up with a load of five thousand pounds. Then we drove to a new road they were building and dumped and spread the rock. We hauled twelve loads a day, working about fifteen hours and often longer. Sometimes we were given dinner and sometimes not. I never had half time enough to eat the miserable stuff set before me. When I didn't have enough to eat I **often picked pieces of bread out of the swill I was carrying to the major's pigs and ate them!** The other men did the same, and were glad to get these swill-pickings.

Our staple food, the slum, had very little nourishment in it. The prisoners were all weak. They were kept in that state so they wouldn't have spirit enough to break out of prison.

Sometimes in the middle of a meal we would be ordered out suddenly to do some job, and when we got back the food we had left would be gone. Often we had to work until late at night, a clear violation of the rules. One of these late jobs was hauling a piano once a week to the old canteen for moving-picture show. After the show was over we had to go and haul that piano back again, no matter how tired we were or how much in need of sleep. This was another heartless infraction of the rules, for prisoners have specified hours of labor, and these must not be extended in any way. Another infraction was that we had to work every Sunday until noon. In the afternoon, besides washing our clothes, we were required to go to the ball diamond, sweep and clean



"They say you don't have to do any really hard manual labor in the army unless you are a prisoner. Did I work hard? Well, rather."



it, sprinkle it with water, and rope it off. The officers let the grounds out on Sunday to professional baseball teams that could not play save on federal ground on that day, as it was against the laws of Vermont.

After three weeks' work as a prisoner my civilian shoes had become so worn that I was virtually barefooted. I begged for a new pair, but the provost sergeant told me to go to —. When I accidentally ran a rusty nail into my foot and it began to swell **I meekly asked for medical treatment, but the brutal provost sergeant drew his revolver and knocked me off the hospital steps and ordered the negro sentinel to kill me if I opened my mouth or looked around.**

I put tobacco juice on my foot, but next day it was so lame they took me off the rock work and set me to cutting grass with a sickle. I was miserably ill, and my foot was throbbing with pain, but if I stopped a moment the big burly negro would plug me with the butt of his gun and threaten to kill me. As I could stand this sort of torture no longer I deliberately jabbed the sickle into my leg. It was a pretty bad wound, but it gave me a week's rest in the hospital.

Those overworked, underfed prisoners often injured themselves so as to gain a little rest. One man cut off half of his foot with an ax.

**I have seen them come in from work, dripping with sweat, take off all their clothes, and lie naked in a strong draft so as to take cold and be ill.** One man contracted pneumonia and nearly died. Sometimes they ate soap, which made them wretchedly ill. To raise his temperature a man would put red pepper under his tongue.

Sick or well, none of us ever got a word of sympathy. The men were very bitter about their treatment by Uncle Sam, which was rapidly making anarchists of them.

According to military rule, I should have been tried within a week after my return to the post, but I was given no hearing for

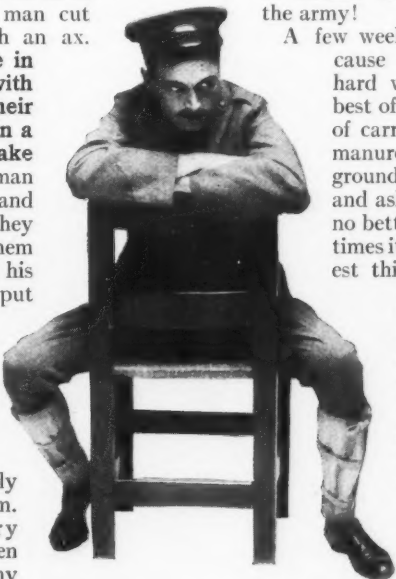
over three months, when I was court-martialed. I told the exact facts to the court about the doctor making me desert by ordering that unnecessary and outrageous operation, and asked that the Burlington surgeon be summoned in my defense. I was only laughed at. The trial was a farce. Eighteen days afterward I was sentenced to one year's imprisonment at hard labor and dishonorable discharge.

I have given you an idea of what medical treatment is like in the army. Let me give you another example. A military convict named Lucia had the toothache. The doctor examined him, said he was very busy, and ordered a sergeant who was not a dentist to pull the tooth, which might easily have been saved by filling. The sergeant pulled the tooth and broke the man's jaw. The fracture was so badly treated that blood poisoning set in, and the man died.

In the hospital I have known of at least one capital operation to be performed by a surgeon *dressed in his olive-drab uniform*. It was the case of a man who had been accidentally shot and who was cut open on the wrong side in a vain search for the bullet. The man died four days afterward. God help the unfortunate soldiers who have to submit to surgical treatment in the army!

A few weeks after my trial, because of good behavior and hard work, I was given the best of all prisoners' jobs, that of carrying swill, cleaning up manure from the parade-grounds, and hauling garbage and ashes. But my food was no better than before. Sometimes it was worse. The cruel-

est thing from the prisoners' viewpoint was this: When the inspector came around excellent food would be placed on our table, and we would be made to stand before it as though about to sit down and eat. Then the inspector would be brought in. He would look at us and our good chow, smile approvingly, and go out.



"I had seen a man shot dead for trying to run away from his guard"



## The Story of a Deserter

**The moment that inspector was out of the room all that good food would be whisked off the table, and the putrid old slum would be brought on in its place! I have seen men cry over this cruelty.**

When the inspector was at the post our hours of work would be made to conform strictly to the rules. When he went away we had to make up the hours thus "lost" from the routine enforced upon us.

In regard to the exchange of bad for good food the same thing was done when my mother came to see me, in order to show her that a complaint I had made to her in a letter was unfounded.

I could fill the COSMOPOLITAN MAGAZINE with stories of like abuse. Two months ago while I was shoveling ashes upon the dump, Dink Williams, my brutal colored guard, would not once let me straighten up my back, but kept me stooped over all the time. "Go ahead and work, — you!" he kept yelling, "or I'll blow your rotten head off!"

"Williams," I replied quietly after a while, unable to stand this abuse any longer, "my time is coming."

Immediately he seized me and marched me off to the guard-house, where he reported me to the officer of the day. As punishment for my remark to that inhuman negro I had to work after hours every night for six nights washing mattress covers. The negro declared I swore at him, which I didn't, and the officers accepted his word as against that of a white man. Soldiers were often thrown into prison for the slightest offense, and given long terms so that as much work could be gotten out of them as possible. A private named Johnson, who walked on the officers' side of the post because of the deep snow on the men's side, **was sent to prison for one year at hard labor!**

Why didn't I try to escape? Well, I had seen a man shot dead for trying to run away from his guard, and I wasn't anxious for that experience. Then, too, my mother was working for my pardon, though the political influences she had been able to bring to bear before did not seem to help me

this time. But at last came the glad day of my release. My time was up and I was free to go, not, however, without suffering a stigma which is the rule in the army. I was escorted off the reservation by a negro sergeant and four men. Just as I was getting into an open trolley-car, loaded with passengers, some of whom I knew, the sergeant bawled to his men:

"Attention! Port arms! Discharged military convict, William B. S—!"

All the way to Burlington in that car I was the object of many stares and not a little comment in undertone. My public disgrace was an indignity for which I wanted to kill somebody, but I bit my lip and kept quiet.

It is not from any desire to discourage young men from joining the army that I rehearse the story of my experiences, nor to encourage enlisted men to run away from their posts. I am man enough to own that I did wrong to desert in the first place. I am telling this true story merely to let the public know what unjust treatment Uncle Sam is giving to his soldiers and what torture he is handing out to military prisoners. The men high up in the War Office don't know this, and few officers of military posts are aware of it, although it is really their

fault; for in every case where discipline is to be enforced or punishment is to be meted out they leave it to too small a man.

There are brutes in the army. This very day there have no doubt been performed acts of cruelty that should make those responsible for them hang their heads in shame.

The pity of it all is that at least three out of every ten deserters and four out of every five discharged military prisoners leave their posts heart-in-heart criminals, made so by the unjust treatment they received while in the army.

As for myself, I am trying to live my life as a real man, trying to forget the horrible past and to let Almighty God punish as he will those who so recklessly ill-treated and tortured me while in the army.



"I was a deserter—a man without a country"

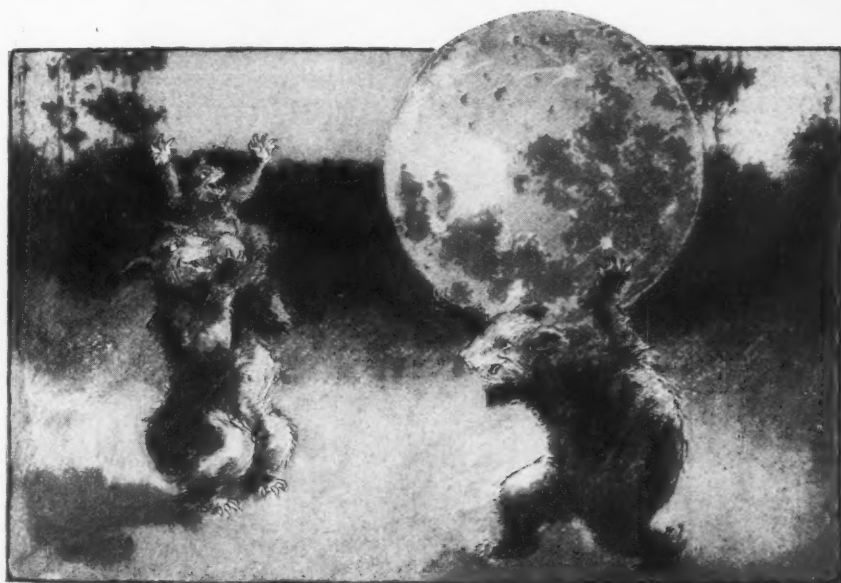


# Getting the Moon

By Frank VerBeck



This little bear cried for the moon.

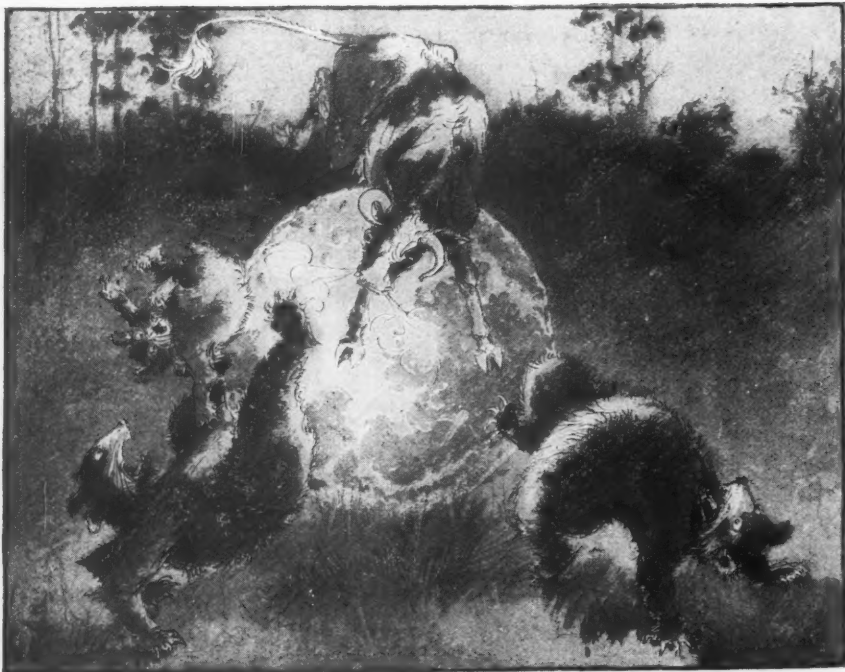


Being an only child, of course he had to have it.





He was just a-lovin' it with all his might.



When the cow jumped over the moon and spoiled everything.





# THE STORY-TELLERS' CLUB

FAVORITE YARNS OF FAMOUS PEOPLE



**EDITOR'S NOTE.**—Everybody has a "pet" story. In the case of noted men and women especially it will be discovered that at least one good story is a part of each one's mental equipment. The thing is to draw out the bright particular yarn which is cherished for occasions. In this department we strive to print only the best. The requirements of "The Story-Tellers' Club" are few. We want genuinely funny stories as personally narrated by living men and women whose names are universally familiar. We pay liberally for these stories. If you know a truly famous person ask him for his favorite anecdote and send it to the Anecdote Editor of the COSMOPOLITAN MAGAZINE.

**THOMAS NELSON PAGE** tells of an office-boy named Eugene, and colored, whom he had when he practised law in Richmond. The boy wasn't much of a help about the office, but, with proper persuasion, he could be induced to sweep out every morning. One day, however, he did not appear. Page went to the office, saw it was not swept, and went out and walked around for an hour. But no boy had been there. He waited another hour, and still no boy. He waited until three o'clock in the afternoon, and no boy; so, very angry, he decided to go out and interview the boy's father about it.



THOMAS NELSON PAGE

"That rascally boy of yours hasn't been at my office at all to-day," exploded Page.

"Sho'ly, Massa Tom," replied the father, "you-all ain't tellin' me dat boy Eugene hain't done bindaryet?"

"I am telling you. He hasn't been there all day."

"That's ver' strange," commented the father; "but I reckon you-all haffer 'scuse him dis mawnin'."

"Excuse him! Why?" roared Page.

"Well, Massa Tom, he's daid."

**NICHOLAS MURRAY BUTLER**, president of Columbia University, relates an amusing incident that goes to prove there has been a considerable advancement, in the last half-century, in the remuneration of teachers.

"When I was a boy," says President Butler, "it was the custom for the country people to work out their taxes by boarding the teacher. This meant that as part pay he was from time to time supplied from various quarters with fresh meat.

"One day a boy named Tim Moorehead breathlessly sought our instructor, exclaiming, 'Say, teacher, my pa wants to know if you like pork.'

"Indeed I do, Tim," answered the pedagogue. 'Say to your father that there is nothing in the way of meat I like better than pork.'



AFTER PHOTO, BY PAUL HENRI.  
NICHOLAS MURRAY BUTLER

"Some time passed, but there was no pork from Tim's father.

"How about the pork your father was to send me?" the teacher asked the boy, one day.

"Oh," answered Tim, "the pig got well."

**IRVING BACHELLER**, the author of "Eben Holden," went a little farther north than usual last summer while on his vacation, and penetrated Newfoundland. He caught a good many fish, but this did not prevent his keeping an eye upon the natives. He was particularly impressed by the men who spent the day lounging about the village store.



IRVING BACHELLER

"What do you fellows do when you sit around the store like this?" he asked of the crowd arranged in a circle on tilted chairs and empty boxes and maintaining a profound silence.

"Well," drawled one of the oldest, "sometimes we set and think, and then again other times we just set."

**ONE** of Colonel Roosevelt's first hunting instructors was old Bill Sewall, a Maine guide, whom, when President, the Colonel rewarded for years of friendship and advice by an office.

When he was a boy the colonel went into camp with Sewall. Deer season came along, and they went out to give the youthful Nimrod his first chance for a shot. After a time, the colonel says, they saw a stag.

"Shoot!" shouted Sewall, and the future President let go with his rifle.

The stag ran a little way and dropped.

"You've got him! You've got him!" shouted Sewall, as he ran forward to investigate. "How did it happen?"

"Why," replied young Roosevelt, drawing himself up proudly, "I aimed for his breast."

"You done well," said Bill. "You done well. You hit him in the eye."





SENATOR BEVERIDGE

SENATOR BEVERIDGE, discussing railroad wrecks, said:

"There is, I think, too much bustle, too much hurry, about some of our railroads. This hustle, when we turn to the year's unpardonable casualties, seems as indecent as the Si Taylor case."

"At Si Taylor's funeral the doctor and the undertaker were conversing in low tones."

"'Too bad,' said the undertaker, 'that poor Si's wife wasn't with him when he passed away. How did it happen?'"

"Mrs. Taylor," the doctor whispered, "was up-town at the time ordering her mourning outfit."

"The undertaker, with a bitter smile, turned away to supervise the funeral procession. 'Hold on, gentlemen; this won't do,' he said sternly; 'where is the sixth pallbearer?'"

"'He's up-stairs,' another pallbearer explained, 'proposing to the widow.'"

JACOB A. RIIS, writer, lecturer, philanthropist, and firm friend of Theodore Roosevelt, says that one of the finest instances of absence of mind on record is that furnished by a certain college don, whose "scholarly abstraction" frequently landed him in difficulties.

"Dining out one night," said Mr. Riis, "the man suddenly became immersed in thought, and for a time sat gazing at his plate, evidently engrossed with some mighty problem. It happened that his left-hand neighbor, a portly dame, had a habit of resting her hands on the table, palm down and fingers closed."

"Suddenly the professor awoke from his brown study, seized his fork, plunged it into the plump paw reposing to the left of his plate, and, beaming genially through his glasses, remarked,

"My bread, I think!"

THEODORE P. SHONTS, who is now running the New York subway, was one of the first to have

a try at the Panama Canal. There was more or less criticism of his work, and he came home. The tables are turned on the people in a story which he tells on occasion. Says he:

"In regard to Panama the people are as credulous as a young girl I have heard about. She came down to the drawing-room to meet her very special young man, with a frown on her pretty face."

"John," she said, 'father saw you this morning going into a pawnbroker's with a large bundle.'

"John flushed. Then he said in a low voice:

"Yes, that is true. I was taking the pawnbroker some of my old clothes. You see, he and his wife are frightfully hard up."

"Oh, John, forgive me!" exclaimed the young girl. 'How truly noble you are!'"

SENATOR JEFF DAVIS, of Arkansas, tells this story on himself:

"I had an appointment to speak at a town in eastern Arkansas on a Saturday, and I arrived on a late train the night before, carrying nothing but a small hand-grip. I went to a hotel near the depot. There was no one on duty at this hour except the night porter, and he was acting as porter, clerk, and general overseer. I registered, and he showed me to a room; but in a few minutes he came back and said,

"Boss, my 'structions is, when a gemman haven't any baggage, to collect in advance."

"Why, I've got baggage," I replied, pointing to the little grip."

"I know, sir, boss," he said, 'but you've done stayed too long on that already.'"

DOCTOR COOK, the discredited arctic explorer, tells the following "pet" story:

"Sacrifices," said he, "are always being made. Men, in order to succeed, sacrifice pleasure, their honor, their youth. These sacrifices excite no remark. But any sacrifice of the stomach arouses wonder and awe."

"Women have sacrificed, for instance, much to enter society. I've heard of many of their sacrifices, and yet there's only one that I remember vividly."

"A woman newly rich was invited to an aristocratic dinner-party. During the course of fowl and salad, she noticed with dismay a fat, furry caterpillar on her topmost leaf of lettuce. Glancing up, she met her aristocratic hostess's eye. The hostess, too, had seen the caterpillar. Her gaze implored the guest to save the dinner from catastrophe."

"The guest gave her hostess a reassuring smile. Then she doubled a lettuce leaf around the caterpillar and calmly swallowed it. The look of awe and gratitude that her hostess gave her was an assurance that her footing in society was at last firmly established."

"Do you think," she said to her daughter afterward, 'that I'd lose a chance of establishing the family socially for a little thing like a caterpillar?'"



SENATOR JEFF DAVIS



JACOB A. RIIS

AFTER PHOTO, BY PACH BROS.  
THEODORE P. SHONTSAFTER PHOTO, BY BROWN BROS.  
DR. FREDERICK A. COOK



# MAGAZINE SHOP-TALK

## Comment and Criticism of Life, Labor, and Letters By Edwin Markham

### The Vital Issue in the Army Articles

**T**HE articles on army desertion, as given in the September and November COSMOPOLITAN, have set the fountain-pens a-flowing East and West. Why have 50,000 soldiers deserted during the last twelve years? Mr. Millard's explanation is raising an uproar.

It will be remembered that Mr. Millard revealed the fact that recruits are nearly always drawn into the army under a misapprehension as to what will be required of them. They do not know that stable-cleaning, kitchen-work, and so forth will be tacked onto the noble art of soldiering. The recruit sees only the many-colored lithograph with its statement that he is wanted in the army, sees only the stately soldier on his snorting charger, with smoking cannon in the distance; and he thinks that this is the soldier's life! He sees only the blowing banners, the glittering bayonets, the field-batteries swinging into action. So he enters the army with an idea in the back of his head that some day he, too, will gallop down the field of honor, "sworded and splendid."

### The Recruit's Expectation and his Realization

But instead of heroic enterprise and martial glory, what awaits him? Instead of mowing down the enemy, he must mow down regiments of weeds. Instead of rolling with the red tide of battle over the echoing plain, he must roll the creaking mower over the lumpy lawn. Instead of flinging up breastworks before beleaguered cities, he must grub out grimy drains for the kitchen waste. He had expected to bear the victorious banner on the windy parapet, but instead he finds in his hands only the limp and greasy dish-towel.

Now here is discrepancy between dream and deed; and wouldn't it agitate any

young man fresh from the exciting pages of the latest battle-book?

### No Labor Degrading

Of course Mr. Millard does not mean to say that manual labor is in any degree degrading. Labor is not degrading. Laziness and contempt for work and the worker—these only are the ignoble, the unmanly. Work that promotes cleanliness of person or dwelling is uplifting, sacramental. I believe, indeed, that every man should do some of the physical work, some of the hard bread-labor, of the world. So I do not lament that some of the Boys in Blue are up to their elbows in suds instead of gore. But I do think that the recruit has a right to know beforehand what he will be asked to do to earn his thirteen dollars a month.

### Russell's Great Graft Series

**GRAFT** on the right of us, graft on the left of us! The grafters are busy everywhere. Yes, but we have also our soldiers of the common good, our tribunes of the truth, our conscripts of the social conscience—men who dare to rip the mask from the traitors and to voice the sacred rights of the people. These men, with their stern sense of righteousness, are the hope of the nation. When the people are no longer stirred by their cries of protest and prophecy, the reign of the rogues will be complete. When the voices of the tribunes cease, the Republic will perish.

Charles Edward Russell is one of these valiant voices. I have watched his career with keen attention. He is honest; he is earnest; he is consecrated to the common welfare.

The COSMOPOLITAN did wisely and well to secure from Russell's bold yet careful pen the remarkable articles, "What Are You Going to Do About It?" Gigantic robberies



and jobberies are going on under the shelter of the political machines; and the only help for the people is to knock the walls away and reveal the grafters to the public gaze. Those who cry out against publicity are the real enemies of the Republic.

No political series of our time surpasses the intensity and import of this series. The parasites are sucking out the marrow of the nation. Yet Mr. Russell uses only plain words to set forth the terrible facts. How calmly he tells the story—no flights of fancy, no fury of phrase. I am sometimes surprised at his calmness in the midst of the crimes, his quiet manner in the midst of the shames. I sometimes wonder at his restraint—wonder why he does not thunder out, letting his words fly like stones from a volcano.

#### The Age of Graft

We might call the present time the Airship Era or the North Pole Era. But let us call it the Age of Graft; for this nails the name to the gravest fact in our national life. For never before—not even when the mask was torn from the old piratical Erie Triumvirate (Gould, Fisk, and Tweed), has there been such a forced show-down of the packed cards of villainy.

Mr. Russell has sketched the actors in the drama of Big Business as they stalked and strutted in Albany, in Pittsburg, in Springfield, Illinois. He lifts the curtain, and shows them at their boodling in city councils and state legislatures, shows them beckoning and buying and boosting their henchmen, their aldermen, their senators; shows them bargaining with lawmakers for crooked legislation, bargaining as though they were swapping butter and eggs for codfish and clothes-pins at the counter of a country store.

#### Patriots for Profit

And who, forsooth, are these pedlars of politics, these venders of votes to the highest bidder? And who are these men whose right hand is full of privileges and whose left is full of bribes? They are not the toughs of the Tenderloin and the bruisers of the Bowery. No, no: they are often men of high social connections and church affiliations. Their names are not in the records of the Rogues' Gallery, but appear in "Who's Who" and "The Blue Book." They are not of the Unwashed. They soil their

hands with bribes; yet they are fastidious in the use of the manicure-file and the finger-bowl.

They make it a point to appear as leaders and promoters in all patriotic and charitable movements. They deftly abstract funds from the city treasury; but they donate heavily to the heathen. They vote against tenement-house reform; yet they cheerfully send contributions to the Fresh-Air Fund. They corrupt the ideals of the youth of the land; yet we read perhaps in the press despatches that they have endowed a college chair to study the ethics of the ancient Egyptians. Indeed these grafters are "highly respectable citizens." They are quick to laud the G. A. R. and the D. A. R. They stand pat on the Constitution. They "point with pride" to "the patriots of '76."

These gentlemen are statesmen for a stipend; they are patriots for profit. They strangle freedom by blocking the will of the people; yet they preside at flag-raising, review from the grandstand the perspiring parade on the Fourth, and lead with unctuous voice in singing "My country, 'tis of thee!"

Still, all the while, these men are only the brute survival of the robber barons and the Viking pirates; and they talk up "the Red, White, and Blue" for business purposes. They have no ideal but the cash-register, no country but the counting-house, no flag but the black flag.

#### Patriots for Principle

But in all this muck and mire of Boodledom, revealed by the Russell exposures, we see one hopeful light. In among the grafters, defying them, fighting them, are a few noble and courageous men—patriots indeed, the glorious remnant, those who will not bend the knee to Baal. These are the saviors of society.

#### Should Children Be Told of War?

IN the December COSMOPOLITAN General Nelson A. Miles began the story of his life, sweeping in its exciting sieges and strategies of many years and many fields. As a man of action, a man who has faced death for his convictions, he has earned the right to be heard as a Nestor in the councils.

Many apostles of peace nowadays believe that a child's mind should be kept clear of all the symbols and customs and stories of



war, so as to keep the young spirit clear of the contagion of the battle-wrath and the war-ideal. These apostles will find food for reflection in General Miles's story of the influences that turned his mind toward soldiering. His grandfather and great-grandfather had fought in the Revolution; and his father's stories of their heroic struggles at Bennington and Valley Forge fired the young Miles with the dream that he himself might some day tread the tented field. He was of the same Puritan strain as Washington Gladden and Edward Everett Hale (those knights errant of press and pulpit); yet Miles went the way of the sword of the battlefield, while the two others went the way of the sword of the spirit. What fiery particle in the character, or what lure of event, drew these sons of the Puritans on such divergent careers? Some will say that the military purpose of young Miles was shaped by those early fireside stories of battle and by those rusty muskets hung on the home-walls.

Certain it is that when the first rumble of the Rebellion came sounding upon the straining ear of the nation, the old Revolutionary alarm leaped along his blood; that he left youthful sports to ponder with grown men upon the appalling question of the day; that he began eagerly to study and drill to make himself ready for the irrepressible conflict.

So the first chapter of the Miles autobiography raises these serious questions: Do we keep wars going by keeping the war-idea alive in the minds of our children? Would war cease if we could shield them from all thought of battle-pomp and battle-praise? Peace-men and war-men, what think you of this?

### The Robert W. Chambers Story of Artist Life

I HAVE just read in the November COSMOPOLITAN the opening chapters of "The Common Law," a story of art-life in New York, written by Robert W. Chambers and illustrated by Charles Dana Gibson, a man who stands supreme in his own field of art.

It is well known that in all the cities of the world there are young girls who earn their bread by posing (sometimes in the nude) as artists' models. Mr. Chambers's novel sweeps in a situation where a modest, inexperienced girl poses in the nude for a young

man absorbed in his picture and who sees in her only the grace of form that he would transfer to his mural decoration.

#### Is the Nude Indecent?

Now, what about the moral problem here? In itself, there is no indecency in nakedness, no impurity in the nude body. The indecency is all in the attitude one takes, all in the grossness of the beholder. It is only because we are impure inwardly that we are shocked by the human body as God made it. If we were in innocence we would be as little children, who think no evil. When a certain savage was reproved for not wearing clothes for decency's sake, he replied, "You no cover your face: me face all over." A naked South Sea Islander, indeed, may be far less indecent than a suggestively dressed bather on a Newport beach. Yes, one may even dress in a manner to be highly offensive and indelicate. One may often be shocked by the costume of the ballet in a musical comedy or by the costume of the smart-set women in an opera-box.

Conventionality rejects nakedness, and very properly; since we are not walking the paths of Eden. Yet conventionality does not embrace all of morality. We must not shrink at what is demanded by the needs of life and art. The physician is granted an unconventional privilege—also the artist.

Personally, I think the path of the artist-model is perilous to virtue—as the world now is, as men now are. And yet I can conceive of a girl model holding herself on high ground, pure as Godiva. It all depends upon the nobility and the purity of the artist and the model. It is certain that Mr. Chambers is dealing with one of the human problems—one that is in action in all the studio world. Is the story a moral one? Well, that depends upon how it will be treated by Mr. Chambers. So far, his treatment is delicate and asserts the moral values.

#### The New Chivalry

It is the business of man to protect woman. If men practised this fine chivalry, treating each woman as he would have his sister treated, there would be an end to the tragedies of the studio, the stage, and the shop.

Men seem to have in them this fine stuff of honor. For sometimes in great crises they rise to the high level. When the wind and fire were ravaging San Francisco, in 1906, there were courtly heroisms on the



tragic streets. One woman, crazed by terror, ran shrieking and naked down the flaming avenue. A teamster sprang to meet her, flung and fastened his overcoat about her, and she went on to safety. Another woman, young and beautiful, had fled from her chamber clad only in her thin night-dress, which was soon torn from her in the press of the wild crowd. A group of men saw her blanched and shivering; and they ran to shield her, standing four-square, their backs toward her, their faces averted; while another man sped to bring her raiment. Here was nakedness with no indecency, because there was no indecency in thought. And here, too, was the quick protection that defends woman and honors man.

### The People's Problem in Justice Hughes

IN the November COSMOPOLITAN, Mr. Lewis raises the question, Will Charles E. Hughes, the new Supreme Court Justice, make good—will he do what he can to block the criminal alliance between business and politics?

There are several events in Justice Hughes's career as governor that perplex even his friends. He was willing to fight race-track gambling that robs only the few, and those few a degenerate group in society; but why did he not get on record as the foe of railroad extortions that press so heavily on the poor and hard working? Why did he veto the two-cent railway fare? Moreover, he has shown hostility to the income tax, a tax in which the country demands most from the man who is getting most out of the country. "Where much is given, much is required": this is good politics as well as good gospel. Again, is Justice Hughes hostile to private monopolies? For the true man thinks in terms of the whole people. He rejects with loathing the mere interests of cliques and parties.

The people are anxious on these points, for two stupendous cases are hanging in the Supreme Court balances—the Standard Oil and the Tobacco Trust cases. When those cases swing into view, how will Justice Hughes stand? How will he vote in the world-old struggle between Money and Manhood?

#### Is the Supreme Court Immune?

Some have reproved the COSMOPOLITAN for challenging the personnel of the Supreme

Court. Some take the ground that the Supreme Court is beyond the admonition of the people. This would mean that the creature is superior to his creator; for, with us, judges are the creatures and servants of the people. The essence of democracy resides in the fact that all powers are vested in the people, and are inseparable from the people. It would be dangerous to have a Supreme Court or any court inaccessible to reasonable review by the people, who are the court of last appeal. We must bear in mind that our Supreme Court decisions are made by men who owe their positions to other powerful men in the governmental machine. So, if the justices are not men of iron rectitude, they are likely to bend to the selfish interests of the money powers. After all, down under the wig and gown, the justice is only a man like us.

We know that Lincoln severely criticized the Supreme Court in the infamous Dred Scott decision. And we have recently had a decision equally irrational in the New York Bakeshop case. The bakers of New York city work long hours under vile and unwholesome conditions. The Legislature passed a law to remedy the wrong. By a five-to-four vote, the Supreme Judges declared against the law, because (hear, ye heavens!) because workmen must not be deprived of their "liberty" to work in filth and weariness. Such a decision proves that men can have too much wisdom to be wise, can know too much law to know justice. Learned books were not needed in such a plain human problem. Nothing was needed but common sense, which is the acme of revelation.

EDWIN MARKHAM.

### The Interests Win in Colorado

WHEN the December issue of this magazine went to press the political atmosphere in Colorado was supposed to be clearing and the people about to win a long-fought battle with the forces of corrupt politics. A special session of the Legislature was considering measures of relief, and so insistent had been the demands of the people that it seemed their representatives could not defy them. So hope ran high—for a while. Now the bills

*Continued on page 110, advertising section*





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Sectional View

12 hours work sold 30 outfits, (profit \$81.90). A. Wilson, Ky., who ordered \$4,000 worth and sold 102 in 14 days (profit \$278.40). J. Hart, Texas, \$5,000 (profit \$43.68). Reese, Pa., (carpenter) solicited 60 people—sold 55. Reader, these results possible for you, at home or travelling, as exclusive agent for Allen's

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## The Interests Win in Colorado (Continued)

have been passed, and the legislators have gone home. Who had the greater influence over them is shown in the subjoined letter:

DENVER, Colorado, Oct. 19.

Mr. Charles Edward Russell,  
New York City.

MY DEAR MR. RUSSELL: The extra session of the Colorado Legislature adjourned yesterday, October 18, after the House had passed the railroad bill and the Senate had concurred in amendments which render it of no value. The bill strengthens the power of the railway commission to compel better service for shippers of live stock and perishable goods, but gives it no power to fix or adjust rates, this provision having been deliberately voted down. So far is the law from the law demanded by the last two Democratic platforms that it not only fails to confer rate-making power, but it does not create a public-service commission to regulate utility corporations, nor does it contain the strong anti-pass feature specifically recommended in the platforms of 1908 and 1910. The bill does increase the salaries of the commissioners from \$3000 to \$4000 per year and raises the pay of the assistant secretary, who is a brother of one of the most notorious railroad lobbyists in the state.

The direct-primary bill was passed by the Senate last Friday and signed by the governor the next day, October 15. The machine finally succeeded in obtaining a clause giving preference to convention or assembly candidates, as they are called, on the ballot. It was carried by a strict party vote.

The registration bill, which was supposed to twin with the direct-primary bill, was passed at a Sunday session, October 16; the vote in the Senate was 18 to 6 and in the House 35 to 22. A change of three votes in the house would have prevented its passage. This bill is, in my opinion, absolutely vicious, a machine measure of extraordinary villainy, and bears out what I told you when you were here, that the whole extra session was merely a part of a political game to kick up dust and try to force the renomination of Shafroth. Shafroth has been renominated, and of all the bunch comes out best individually, while the corporations have secured practically everything they could wish for. The registration bill, supposed to twin with the direct-primary bill, is so worded that it does not apply to primary elections at all, which is somewhat of an anomaly. Furthermore it contains a provision that when a challenge is made, \$1.50 must be deposited by the one who makes the challenge. Reformers who desire to have pure elections in this city must hereafter be well supplied with cash, for there have been times when as high as 17,000 fraudulent votes were cast in this city. Only a small part of the deposit is returned on proof of fraud, so you can readily see that the days of the Bigg Mitt in Denver are about to return.

The special session redeemed three of the Democratic platform pledges, according to Governor Shafroth—the initiative and referendum, the direct primary, and the election of United States senators by direct vote of the people. The registration and railroad bills have not yet been signed by the governor. The pledges unredemmed are the headless ballot, the bank guaranty, the public-service commission, and the anti-pass law.

R. G. SEYMOUR,  
Night Editor "The News."



